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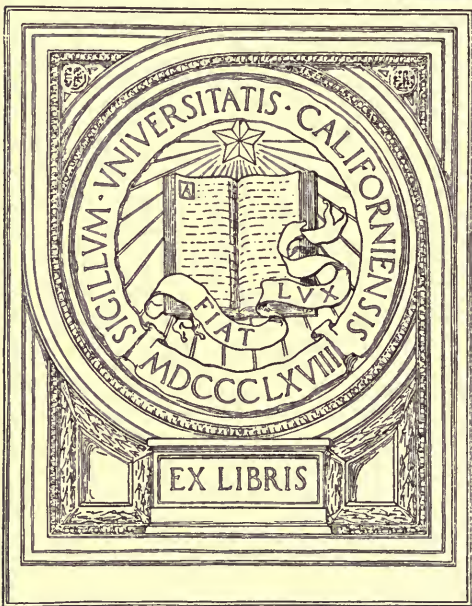
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BURKE'S SPEECH
ON CONCILIATION
WITH AMERICA

CRANE

UNIVERSITY OF CALIFORNIA
AT LOS ANGELES



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THE APPLETON
ENGLISH CLASSICS

EDMUND BURKE'S SPEECH ON CONCILIATION WITH THE AMERICAN COLONIES

*DELIVERED IN THE HOUSE OF COMMONS
MARCH 22, 1775*

EDITED WITH NOTES AND A STUDY PLAN
FOR HIGH-SCHOOL USE

BY

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PREFACE

IN this edition of Burke's *Speech on Conciliation with America* the purpose has been to aid the student in the development of his power of argumentation. This has been fully explained in the division entitled "The Purpose of the Study of Burke's Speech on Conciliation" (p. 1).

The "Study Plan" in the Introduction is given on account of many requests from teachers that such a plan be included in this edition of the great speech. The adoption of the Study Plan is not in any way a necessity; for many teachers may have a better one in the matter of details.

The only value of an "edition" of a classic over a simple text is in the help that the editor may give to teacher and student in his Introduction and Notes; therefore it may be assumed that, after an edition has been chosen, the teacher and the student should give the Introduction and Notes a careful examination; otherwise a simple text would do as well.

In the Notes the aim has been to explain the especially difficult parts of the text; to give such information as may not be readily accessible to the student;

and especially to aid in the comprehension of Burke's argument.

Little claim can now be made to originality in the citation of references, as these have been used so many times that they have become common property. The many references not original with the present editor have been carefully verified.

The editor hereby gratefully acknowledges his indebtedness to the many toilers who have wrought in the same field; to his pupils, who have successfully exemplified the "Study Plan" (pp. 5-23 and 43-54); and especially to Mr. H. Orrin Jones, of Dayton, Ohio, to whose intelligent help he is deeply indebted.

W. I. C.

DAYTON, OHIO.

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INTRODUCTION

PURPOSE OF THE STUDY OF BURKE'S SPEECH ON CONCILIATION

IT is a matter of agreement among teachers of English that Burke's *Speech on Conciliation* should be studied, not as an *end* in itself, nor simply to acquire a knowledge of it, but as a *means* toward certain definite training of the student. Compared with its training value, the simple matter of knowing what the classic means is of little import; but there is very great value in the study of it as the best possible means for the development of the student's power to do, under like circumstances, the same thing that Burke attempted to do in the English Parliament. It may be said that the most important word in the teaching of English, or in any teaching, is the word *purpose*. A teacher's work is peculiarly like that in any other business or profession: it can be done successfully only when it is undertaken with a definitely formed purpose in exactly the same way as an architect purposes to build a residence or a cathedral, chooses his means accordingly, and applies them logically. His gathering of bricks and stones to any amount whatever would result in nothing but unsightly heaps of bricks and stones. The bricks and stones are of value only as they are applied in accordance with a clearly and definitely

formed purpose. This is just as true with respect to the study of classics at school. The simple possession of what they contain by the student is of small value. They constitute but an infinitesimal fragment of what a well-read man or woman must know. They may be made of the greatest value, however, as a means toward the great desideratum of English teaching—the keynote of our work, *the training of the pupil to certain powers*. What are these powers? They may be reduced to four in number, as follows :

1. The power *to read*.
2. The power *to speak*.
3. The power *to write*.
4. The power *to appreciate*.

The development of these powers, in their deeper and truer meaning, will make that kind of man or woman who is a self-guiding creature, able to become personally acquainted, in later life, and without the further help of any one, with the best thoughts of our great literary men and women. Surely this is a thing much more to be desired than to be turned out of school with a memorized knowledge of some dozen or more classics, and without the power, unaided, to delve delightfully into the books in which real readers find the highest delight in life. This training has been largely accidental with most of us ; that is, our love of reading and of books has been brought about by accident rather than through any aid that we may have received from others. Countless thousands have missed this delightful love of books because the accident of wise guidance did not happen to them. The teaching of a classic, therefore, should be preceded by a carefully formed purpose, the keynote of which is to be found in the word *training*. English classics, in school life, are of value as *means* rather than as *ends*. That other desideratum,

literary knowledge, will, with training as a purpose and the classics as means, take care of itself.

The student who is earnestly seeking training in the four particulars given above might profitably consider them with some painstaking care, for no one of these words always means the same thing; it has degrees of meaning. Dr. W. H. Venable has called attention to the fact that when, in childhood, we were asked—

“Can you read?
Can you write?
Can you smoke
Your daddy’s pipe?”—

we unhesitatingly answered in the affirmative. An attempt on the part of the ordinary reader to read the Introduction to Hegel’s *Philosophy of History* will quickly show him that he was somewhat hasty in his statement that he could read, if to *read* means to get the meaning of the author. An attempt to express with a pen his understanding of what he has read will show that he was equally hasty in his statement that he could write. The fact is that the average pupil who “reads” in so beautiful an elocutionary manner frequently does not *read at all*; he simply pronounces the words in accordance with certain rules for inflection and accent, while he may be blissfully ignorant of the thought that the author intended to convey. A student’s remembrance of the manner in which he used to read Rienzi’s *Address to the Romans* will demonstrate this fact to him. Rienzi might as well have “come not here to talk,” as far as the average pupil’s understanding of him was concerned. This power to *read*, or to get the meaning or content out of a book, is, of all separate acquisitions of a student, the most valuable, for it is the key to the treasures in all his other studies.

But the word "to read" does not always mean the same thing. The student should know that to read a *narrative* is one thing, to read a *description* is another thing, to read an *exposition* is yet another thing, while to read an *argument* is still another and much more difficult thing. Any ordinary reader can read a narrative like *Uncle Tom's Cabin*, but none other than a trained reader can read an argument like Burke's *Speech on Conciliation*; for while the former implies the simple following through of the narrative or story, the latter implies that the reader shall comprehend not only what the orator means in the rapid succession of his points, but he must comprehend also their interdependence, their interrelations, and the reason why, with respect to his particular audience, he brought forward this or that particular argument at this or that particular place. Simply to know what Burke means is to read the speech as a narrative, but not as an argument.

Now, what is the value of reading the speech as an argument? The student should realize that the value of this speech to him consists in comprehending the argument of the speech for the purpose of *developing his own power in the same line*, and the test of this is the making of an argument on similar lines by the student himself. He can "read," he can "write," then, in an argumentative sense, when he can comprehend Burke's *Speech on Conciliation* as an *argument*, and when he can "speak" or "write" such a one in proportion to his ability. The student will realize, then, that the purpose of the study of Burke's *Speech on Conciliation* is to read the speech in such a manner as to develop the student's *own power of argumentation*. It is evident, therefore, that a student should undertake the study of this speech only when he has a developed power of reading and

writing, speaking and appreciating, narrative, descriptive, and expository composition.

The proper place for the study of Burke's *Speech on Conciliation* is in the final year of a high school whose pupils have been given the training named above.

THE METHOD

The *purpose* of the study of Burke's *Speech on Conciliation*—the training of the student to a certain degree of argumentative power—having been formed, we should proceed to the study of the speech in such a manner as to attain this purpose. This leads to the development of the

STUDY PLAN

To read this speech as an argument, the student evidently must know the circumstances which brought about the speech; or, to tabulate the matter, he must know the following things:

1. What parties was Burke attempting to conciliate?
2. What was their quarrel about?
3. Before whom did he make his speech?
4. Who and what was Edmund Burke?

To develop these points:

The student must understand as far as possible the details of the quarrel between England and her American colonies, or the development of the *spirit of resistance* in America; and he must understand the details of the attempt, on the part of the British ministries, "to make the colonies useful to the mother country."

Upon examination, it will be found that the spirit of resistance did not begin in America, but that it began in England prior to the Puritan Revolution of 1641—long before the people of Massachusetts had, to any great

extent, settled in America. It will also be found that there were several very different spirits of resistance in America, and that these spirits of resistance, to a point that required conciliation, were produced as a result of certain ideas that the colonists brought with them, these ideas being very different in the different colonies. A very slight knowledge of American history will call out the fact that there was one spirit of resistance in Massachusetts, another and a very different spirit in Virginia, a still different one in Maryland, another in Pennsylvania, and possibly another in New York and New Jersey. A knowledge of the causes that impelled the members of these different colonies to leave their native lands will show why the real resistance began in New England.

No student can, in the true sense, *read* Burke's *Speech on Conciliation* without an accurate knowledge of the causes and the development of this spirit of resistance to British oppression that impelled Burke, in the second paragraph of his speech, to say, "Surely it is an awful subject, or there is none so on this side of the grave." The student who hurries on to the study of the speech itself without this preliminary understanding will never, in the true sense, *read* the speech. He must be able to realize, in the words of Thomas Jefferson, "the causes that impel us to separation." The modern reader of Burke's *Speech on Conciliation* may be able to realize, even more deeply than did Burke, the awfulness of this subject, on account of a better opportunity to know the tremendous destinies in store for those colonies.

The student should not, therefore, get in the usual hurry to "cover ground," but should strive patiently to lay deep and well the foundations of a clear knowledge of the quarrel between the parties whom Burke, in

words of such awful significance and with the conscientious devotion of his great soul, was endeavoring to conciliate. The student should understand clearly and without prejudice both the British and American sides of the question, finding books upon the subject and reading them carefully, never forgetting that there is value in the present instance in those facts only that throw light upon the cause and development of the colonial spirit of resistance as summed up in the Declaration of Independence. Thomas Jefferson realized the necessity of this knowledge when he prefaced the counts of his terrible indictment of George the Third in these words: "To prove this, let facts be submitted to a candid world."

The following is suggested as the steps of

A PLAN FOR THE STUDY OF BURKE'S SPEECH

1. Careful formation of purpose by teacher and class.
2. A study of the history leading up to the *Speech*.
3. Debates on subjects chosen from the history.
4. A brief study of the House of Commons.
5. A study of the life of the orator himself.
6. The study of the *Speech* itself.
7. Final debates modeled on the *Speech*.
8. Each student's debate speech developed into a written thesis.

THE NATURE OF THE QUARREL BURKE WAS TRYING TO CONCILIATE

As has been said before, the subject to be traced in the history is the development of the spirit of resistance in America, and its causes through the conduct of George the Third and his ministers. It will be found necessary to trace four or five different spirits of resistance, all of which were aroused under different circumstances.

New England.—The people of New England brought with them an inherent disrespect for kings, and a ready willingness to resist stubbornly upon very slight provocation. The history of their spirit of resistance begins prior to the English Puritan Revolution of 1641. A very little knowledge of the previous history of the New England colonists will show why the resistance of America began in a New England colony.

Virginia and the South.—The people of Virginia and of the colonies farther south were chiefly descendants or retainers of the Cavaliers, who, in the Puritan Revolution before mentioned, gave up all they possessed in defense of the king and his so-called divine right. So it was not much wonder that Patrick Henry, in his speech before the Virginia Convention, found it necessary to call attention to the tardy resistance of Virginia by saying, "Our brethren in the North are already in the field, why stand we here idle?"; or to read Washington's statement, "I abhor the idea of independence"; for the Virginia colonists had inherited not a willingness to resist the king, but a sense of duty, respect, and sacrifice for him. Besides, they were Episcopalians, who hated the Puritanism of Massachusetts, and whose ancestors had met in battle the ancestors of the New-Englanders on the bloody fields of the Puritan Revolution. So we shall find that the rise of the spirit of resistance in Virginia and the South was due to a cause very different from that in New England.

Maryland.—In Maryland there was another spirit of resistance, for these people, in the early history of the colony, were mainly Roman Catholics, the ancestors of whom, in the days of Elizabeth, James the First, and the later monarchs, had been bitterly persecuted by the ancestors of both the Virginians and the New-Englanders; so they hated with a bitter hatred both the Virginian of

the Established Church and the New England Puritan. But at heart they were, as retainers of the Calverts, as strictly royalists as were the Virginians. Besides, their liberal charter gave them no cause for resistance until the passage of the Stamp Act; so we must expect that the spirit of resistance in Maryland developed much more slowly than did the same spirit in New England. And here will be found a spirit of resistance arising from a basis different from that in either New England or in Virginia.

Pennsylvania.—The fourth spirit of resistance, or rather, in earlier times, of non-resistance, is to be found in Pennsylvania. Its settlement by Quakers bespeaks at once the non-resistant spirit of that sect; and it was largely through immigrants, like Franklin, from New England and other colonies, that the spirit of resistance arose in this colony.

New York, New Jersey, and Delaware.—There was a fifth spirit of resistance in New York, New Jersey, and Delaware, whose Dutch and Swedish settlers of the earlier history of these colonies did not, of course, bring English ideas with them. Their peculiar manners and customs caused them to stand aloof from the English colonists. The conglomeration of nationalities in New York in particular will make it plain that here again the spirit of resistance arose under circumstances and conditions differing from those in the colonies before mentioned.

We have, then, five different spirits of resistance to trace, until we find that they gradually merged into a common spirit of resistance in the Revolution of 1776. These spirits were a Puritan spirit, an Episcopalian-Cavalier spirit, a Roman Catholic spirit, a Quaker spirit modified by immigration, and a non-English spirit among the peoples of New York, New Jersey, and Delaware. The student should trace these spirits separately until he

finds religious and racial differences gradually becoming forgotten in the growing similarity of their industrial conditions and their political wrongs, at which time the various spirits of resistance became unified in what may be called the "first Americans."

A knowledge of these facts impresses one with the value of the oppressions of the king and the British ministries as a negative good, in bringing together and unifying in a common spirit of resistance these discordant elements—a thing so wonderful as to cause Washington to say that in his opinion it was little less than a miracle.

As it was these various spirits of resistance, unified, that Burke was attempting to persuade the British ministry to conciliate, it must be evident to the student that Burke's effort to bring about conciliation can not be understood by any one who attempts to read it without a knowledge of these spirits of resistance and their development through the oppressive acts of the king and his ministers. Burke himself takes cognizance of these different spirits when, in paragraph forty-five of his speech, he names among the "six capital sources" of the trouble the following: "Of descent, of form of government, of religion in the northern provinces, of manners in the southern provinces, and of education." He says, "From all these causes a fierce spirit of liberty has grown up."

It is the development of this "fierce spirit of liberty" that the student must understand to be able to *read* the great speech in the true sense.

A METHOD FOR THE STUDY OF THE HISTORY LEADING UP TO THE SPEECH

It may be permissible to suggest here a *method of studying* the development of the various spirits of resist-

ance in such a manner as to accomplish the purpose of developing argumentative power on the part of the students.

No better opportunity can be offered for the training of the student in the preliminary steps of the preparation of an argument than is to be found in the study of the development of the spirit of resistance in the colonies, provided the ordinary method of single questions with brief answers be laid aside, and an opportunity be given the student to take up a certain line of study in the development of the spirit of resistance in a colony, to read up on the subject, to work out his reading into connected form, and to give an extended and connected report on the same. Isolated thoughts will not make an argument, nor even a respectable talk or narrative. It is the power of connected and logical thought upon a subject that a student should seek to develop. Each one should understand that his training is distinctively his own, and that, like training in anything else, it depends upon *processes* through which he himself must go; that no other person's going through these processes will make the student an adept in them any more than some one else's practicing upon the piano will make the student a good pianist. He should go patiently to work through the various processes in the formation of a speech or an argument until he can, *without* assistance, accomplish these processes with that degree of ease and success that should be expected in high-school work, and that will be of value to him in his later life in college or out in the world.

The student should not worry because he does not seem to be "covering enough ground"; that he is not "going through" a sufficient number of classics. He should expurgate these expressions from his vocabulary. It is not a question of "covering ground"; it is, as Dr.

W. N. Hailmann says, a question of "going *into* the ground"; and it is a question of *training*. If the student feels that he is daily developing *power* while undergoing this study preparatory to the study of Burke's speech, he should keep right on: he is doing well enough. The question at last will be, both in college and out in life, not "How many classics have you read?" but "How much training have you received?" or "What can you do?" An interesting evidence of this is to be found in the remark introductory to the questions on English at a recent examination (1899) for admission to Cornell University. The examiner says:

"The main object of this examination is not to test the candidate's knowledge of the books involved, though gross ignorance will be rejected, but rather to test the candidate's *training in written expression*."

Training in the preparation and delivery of an argument is the thing to be sought in the study of Burke, at all expense whatsoever.

The aim should be to give to each student opportunities to practice certain necessary processes preliminary to the processes required in the preparation of an argument. The following processes are those most necessary to the beginner: *

1. The choice and limitation of the terms of a subject.

* This book makes no pretension of being a treatise on argumentation. It does not pretend even to state, as should be done in a more elaborate work, the final steps in the preparation of an argument. It simply states certain steps, the carrying out of which will be necessary to any student who takes up afterward the study of scientific argumentation. It asserts, however, that the mastery of these steps is necessary to any person who expects ever to make a right use of books in any line of study.

For the best statement of the principles of argumentation, see Baker's *Principles of Argumentation*. Ginn & Co.

2. The learning how to find for one's self books upon this subject.

3. The reading of the books and the taking of notes.

4. The rearrangement of the notes in logical order.

5. The expansion of the notes into a speech or a written thesis.

The student should seek every opportunity to go through these processes, as he must know how to do these things in order to do the work preliminary to the preparation of an argument.

The following method, for the study of the history leading up to the *Speech on Conciliation* is suggested as furnishing opportunities for practice in the steps given in the preceding chapter :

The class may be divided into sections, to each of which should be assigned the tracing of the spirit of resistance in one of the five colonies mentioned, care being taken to impress each section that it is not tracing the history of the colonies in general, but that it is tracing, *in the history of the colonies, the development of the spirit of resistance to British oppression in regard to the particular colony assigned to that section.*

In the student's search for related facts upon his subject, to the exclusion of *unrelated facts*, is to be developed the training for that all-important step in the preparation of an argument—*the power to collect material.*

The subject of the development of the spirit of resistance may, in classes of twenty-four to thirty, be subdivided, with reference to each colony, to great advantage, as will be shown hereafter, as follows :

Should there be six in a section, the following subdivision may be made, one part being given to each student to trace :

1. The settlement of the colony, and the cause of the settlement *in relation to its spirit of resistance.*

2. The development of the first evidences of a spirit of resistance, citing the causes.

3. The Board of Trade* and the British ministries, with their plans for "making the colonies useful to the mother country," especially by means of the Navigation Acts and the Stamp Act.

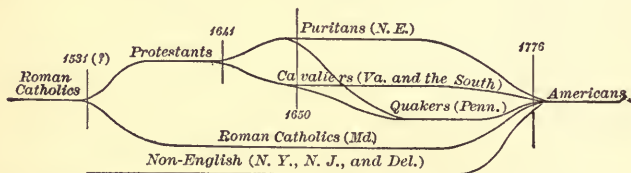
4. The further development of the spirit of resistance to the taking up of arms.

5. A report upon the various British and colonial statesmen who were concerned, *pro* and *con*, in the development of the spirit of resistance.

6. A study of the respective points of view of the mother country and of the colonies, discussing the justness of these viewpoints.

At the close of these reports from the class should come a general discussion of the forgetting of old inter-colonial quarrels and prejudices, and the unification of the colonists as Americans.

The following chart will illustrate the problem which the class is to solve. It is self-explanatory.



THE PROCESSES IN THE PREPARATION OF A REPORT UPON A QUESTION

The processes through which a student should go in the development of a report upon his special question are:

* The Board of Trade was a board consisting of thirteen members, whose duty it was to establish agents in the colonies in order to secure information concerning colonial resources, and to form

1. A careful consideration of the meaning of the question.

2. A careful reflection as to what he already knows about it.

3. A search for books in which further information can be found.

4. A discriminative reading of these books, with the taking of notes relative to the subject.

5. A careful rearrangement of these notes in logical order.

6. The expansion of these notes for presentation to the class (not to the teacher) from the front of the class, and with as few notes as possible.

The student should take the greatest care in considering these steps in order, *one at a time*. The law of doing all great tasks is, the *subdivision of a task down to a working point, and the accomplishment of each step in succession*. Failures generally result from a juvenile desire to hurry on to the next process before the present one is thoroughly accomplished; or "to build in the air." Let it be remembered that it is sometimes a year before the foundation of a great building is made to appear above the surface of the ground.

THE TRAINING VALUE OF RECITATIONS PREPARED UPON SEPARATE ASSIGNMENTS

The student should understand the training value of his work. He should know, when old enough to study this speech, what relation his work bears to his mental progress. The reasons for the value of such

plans so as to advise the ministry how "to make the colonies useful to the mother country." In other words, this board was organized for the purpose of planning a systematic "bleeding" of the colonists to a point just short of inanition

recitations may be best presented for consideration in tabulated form. To discuss them were useless, as they are practically self-evident :

1. A student is interested in the search for facts upon his subject because the facts are related—they have a continuity. He takes a Saxon delight in the chase. No student likes to study isolated facts, nor does he remember them. It is in *related* facts that human interest is found.

2. The student is interested in reciting because he is telling his classmates what they do not know. To recite to a class what they know as well as he only makes the reciter feel silly and disgusted. To test this, let one imagine himself to be telling a story that he knows is familiar to every one in his audience.

3. The members of the class are interested because they are hearing what is new to them. They are not interested in hearing what they know as well as does the reciter.

4. Attention and interest are unconsciously developed.

5. A much greater amount of material is brought before the class.

6. The class serves the reciter as an audience before which he learns to lose his embarrassment and to speak easily and connectedly while upon his feet.

7. An altruistic spirit is developed, for each learns to realize that he is working for the other.

8. Experience has shown that recitations thus conducted are a constant delight; and the student, meanwhile, is daily going through those processes through which he *must* go if he ever becomes a speaker, or if he ever accomplishes the purpose for which the study of the oration is intended.

PRELIMINARY DEBATES FOR PRACTICE

As the purpose of the study of Burke's *Speech on Conciliation* is the development of the student's argumentative power, and as this development can be had only by practice, every opportunity for the student's practice should be seized upon. No better opportunity can be found for increasing the student's interest in the history study preparatory to the study of the speech itself, and for giving him practice in speaking, than by debating upon questions chosen from the history leading up to the study of the *Speech on Conciliation*. A student will master the history leading up to the *Speech on Conciliation* in no other way with such interest and rapidity as he will while he is studying that history in order to prepare for a debate upon some question drawn from that history. The debate furnishes a motive for the study of the history with zeal. For two reasons, therefore—practice in speaking, and the finding of a motive for the deeper interest in the history leading up to the study of the *Speech*—the questions for debate should be chosen from the history that is being studied.

The following questions will serve as specimens:

1. Was the British Government justified in closing the port of Boston?
2. Was the conduct of the British soldiery in the Boston massacre justifiable?
3. Was the Stamp Act a justifiable governmental measure?
4. Was England justifiable in her policy of "making the colonies useful to the mother country"?
5. Was the British Government justifiable in abrogating the charter of Massachusetts in 1774?
6. Were the Bostonians justifiable in throwing the tea overboard in the "Boston Tea Party"?

It will be seen that the study of a question like one of these for the purpose of debating upon it is sure to incite a deeper interest in the history itself than can be found in any other way.

DEBATING BY SECTIONS

The organization of the class into sections for the study of the history will also serve for the organization of the class into debating sections. Each section should choose a question from the history of the colony with which the section is to deal.

The Choosing of a Question and the Limitation of its Terms.—Each section should hold a meeting to choose a question, and to consider the statement of it. Every word of the question should be carefully considered in order that each side may know exactly what it must prove or disprove. Great care should be taken to determine exactly what is meant by such words as “justifiable.”

Making the Outline.—The terms of the question having been decided upon, each half of the section, as affirmative or negative, should hold a meeting to counsel upon the line of argument to be followed. This outline of the argument, or exactly what line the debaters intend to pursue, should be clearly and carefully made, as it constitutes the purpose which that side of the debate intends to accomplish. After the outline has been decided upon, it is well to divide it into as many parts as there are speakers on that side, in order that the speeches of leader and followers may tend toward the accomplishment of the same purpose.

Preparation of the Briefs.—Each debater, taking within the general outline that share of it which he is to present, should then begin the preparation of his brief. He should go carefully through, one by one, the

six steps given on page 15. The value of the debate to a student's training will depend upon the patient manner in which he pursues the six processes, one by one, to the completion of his argument. By this patient step-by-step work, and by the making of his speech to his class as an audience, and by these things only, can he hope to become a successful debater. The student who neglects the step-by-step process, and who gathers his arguments in a disconnected manner, no matter how good the individual arguments may be, is wasting his time and opportunities—he is working purposelessly. (The student will find much better advice than can be given in this work in Baker's *Principles of Argumentation*, Ginn & Co., or in Brookings and Ringwalt's *Briefs for Debates*, Longmans.)

Division of Time.—Each section, the two sides agreeing, should be allowed to divide among the speakers the time allotted for the debate.

Chairman of the Debate.—As presiding over an assembly is an important part of a speaker's training, a student should be allowed to preside over the debate, each section choosing its own chairman from the remainder of the class, and no student acting as chairman for more than one debate, in order that as many students as possible may have this practice.

Programme.—Upon the day of a debate the section debating should present to its chairman a complete and carefully made out programme containing the question, the names of the debaters in the order in which they are to speak, and the time allotted to each, as a memorandum for the use of the chairman. It is best that the question for debate be neatly written on the blackboard in front of the class, prior to the debate itself, in order that those listening to the debate may know the exact statement of the question.

Briefs to be given to the Teacher for Examination.—

Of course, each debater has carefully prepared a brief of his argument, in which the authorities he gives in support of the statements he makes are cited—volume, chapter, and page. This brief he should hand to the teacher for examination after his debate.

Taking Notes.—One of the most important parts of a high-school student's training is the ability to take notes of a speech or lecture. This power is absolutely indispensable in university life. A beginner will find it very difficult to make an outline or a brief of a long and elaborate speech or argument simply from hearing it. He should begin the acquiring of this power by taking notes of *short* speeches. No better opportunity for such a beginning can be found than in making out a brief of each student's speech in debate while it is being delivered, in order to acquire the important power of listening and of taking notes at the same time. These briefs should be carefully copied on uniform paper, and used in the preparation of a decision upon the debate, and then handed in to the teacher for examination and criticism as to the student's ability to make out the brief of a speech as he hears it.

DECISIONS UPON DEBATES

Purpose.—The purpose of decisions upon debates should not be so much to see who wins as to learn to divest one's self of prejudice, and to learn to weigh evidence, thus developing fair-mindedness.

Weighing of Evidence from the Briefs taken.—Each student should aim, in preparing a decision upon a debate, to arrive at a just decision based upon the argument presented, and without prejudice as to speaker or to previous opinions. The student should sit down, having before him the briefs that he has taken of the

speeches made by the debaters, and without prejudice or preconceived opinions he should proceed (1) to a careful examination of the statement of the question; (2) then to a careful examination of the briefs in the order in which the speeches were delivered, carefully weighing the arguments presented, until he has arrived at a decision for which he can give good reasons when called upon.

Time of the Decision.—As the purpose of deciding is to learn to weigh evidence, the debate should not be decided at once, as such action is likely to be hasty and to prevent the *weighing* of the evidence. The decision, therefore, should be postponed for at least one day, in order to give each student time to go through the process mentioned under the caption “Weighing of Evidence from the Briefs taken.”

Appointment of Judges.—As it is desirable that each student should have training in the weighing of evidence, *for no one can prepare an argument who can not weigh evidence*, it is not best to appoint judges to decide a debate until the day set for the decision and its discussion, in order that each student may expect to be chosen as a judge, and that he will, therefore, prepare himself by the study of the question and the briefs that he has taken. Upon the day of the decision, *all* the students being prepared to decide, three judges may be chosen who are to render, upon slips of paper as usual, a decision upon the debate. After having rendered their decision, each one of the judges should be called upon to justify his decision from the briefs that he has taken. Thereafter the decision should be open for discussion by the remaining members of the class, from the briefs that they have taken. No student should be allowed to assign a reason for his decision by saying, “I have decided for the affirmative (or negative) because I

thought they presented stronger arguments." He should be required to show from his briefs *why* the arguments were stronger. If desirable, the decision of the judges may be followed by a second decision by the class as a body. This plan will insure the greatest possible amount of practice in the methodical weighing of evidence.

SOME CAUTIONS IN DECIDING

1. A student, in sitting down to his briefs, should first try to forget that he has any friends upon the debate.

2. He should try to forget his preconceived opinions upon the question. He is not deciding upon the question, but upon the *arguments presented*.

3. He should make an effort to ascertain the truth of the evidence cited in support of statements.

4. He should beware of the effect of a "last speech," being careful not to overestimate its value on account of its having come last.

5. It is not fair, in debate, to use the influence of the name of some sacred book by quoting from it, as final proof, some statement unsupported by further evidence. Such statements have no weight *as evidence*.

6. Mere assertions, ordinarily, have no value as arguments.

Criticism.—A student who is earnestly seeking the development of his argumentative power, and of his power of speaking while upon his feet, *is also seeking criticism*; for it is, first, by improving his good qualities, and, secondly, by getting rid of his bad qualities, that he must attain the powers he seeks. It is best, after a decision has been rendered and discussed, that each debater should have an opportunity "to see himself as others see him", therefore, his speech and his presentation of it, for his own good, should be open to

discussion. The first point that should be discussed should always be on the *positive* side, or what was *well* done. After this has been discussed, those faults of position, want of earnestness, want of clearness, want of force, want of close adherence to the subject, etc., should be freely discussed. Each student must overcome his own faults, and must, by a rigid self-examination, rid himself of these faults and replace them by excellences.

A STUDY OF BURKE'S AUDIENCE

The study of the audience to which a speech or argument is to be delivered is necessary to the preparation of the speech or argument; and as every great speech or argument must be suited to the audience, it will be necessary in the study of Burke's *Speech* to know something of his audience—the House of Commons before which he spoke; therefore some pupil from the class should be detailed to present a report upon Burke's audience, the House of Commons of 1775. He should take care to present information upon the following particulars:

1. What is the House of Commons?
2. Its organization and customs.
3. A blackboard drawing of the House of Commons, or a picture of the same passed around the class.
4. The political parties of the time, and the one in power; their principles.
5. Some of the prominent statesmen who listened to Burke.
6. The circumstances under which the speech was made.
7. The probable location from which Burke made his speech.
8. The conduct of the House during the speech.

THE ORATOR HIMSELF

The entire class should participate in the study of Burke's life and his public services, a sketch of which is given on page 25. It would be better, however, if a deeper study of this subject could be made. An outline is herewith given. The following of this outline in study and recitation will prevent the usual wandering of the students. If the attention of the students be called in advance to the necessity of this study and the method of carrying it out, most of it can be prepared from the other preliminary reading done by the students. A familiarity with the outline given will enable the student to take notes upon it to some extent while doing his preparatory historical reading.

Morley's *Life of Burke*, in the English Men of Letters Series, is the best life for the high-school student. The article by Morley in the *Encyclopædia Britannica* is excellent.

OUTLINE FOR THE STUDY OF BURKE'S LIFE

(Note to the student : Take notes on the outline as you read.)

I. BIRTH.

A. Time.

B. Place.

C. Parents.

D. Ancestors.

1. On the father's side.

2. On the mother's side.

II. CHILDHOOD, BOYHOOD, AND EARLY MANHOOD.

A. Incidents of.

B. Tendencies.

C. Formative influences.

D. Education.

1. In boyhood.

2. In early manhood.

III. MANHOOD.

- A. Seeking a profession.
- B. Final choice.
- C. Location.
- D. Political circumstances.
- E. Political contemporaries.
- F. Conduct in public life.
- G. Conduct in private life.
- H. Success.
 - I. Financial affairs.
 - J. His rank as an orator.
- K. Great works.
- L. Greatest work.
- M. Death.
 - 1. Time.
 - 2. Place.
 - 3. Incidents of.
 - 4. Condition of finances.
 - 5. Place of burial.
- N. Four phases of his life.
- O. Descendants. (?)
- P. Best books about him.
- Q. Characteristics.
- R. Miscellaneous incidents.
- S. Memory gems.
- T. Works best worth reading.

IV. HIS INFLUENCE UPON MANKIND.

SKETCH OF THE LIFE OF EDMUND BURKE

EDMUND BURKE, "one of the greatest names in the history of political literature," was born, according to the most probable account, at Dublin, January 12, 1729, new style. Little is known of Burke's family. It is known that his father was a well-to-do Protestant attorney of Dublin, and that his mother, who was a Roman Catholic, was a member of a reputable family of the name of Nagle. It is known that Edmund had one sister and two brothers; one brother, Garret Burke, being older, and the other, Richard Burke, being younger than Edmund.

At the age of twelve Edmund was sent to Ballitore, a short distance from Dublin, to a school kept by an English Quaker named Abraham Shackleton. The two succeeding years, which Burke spent at this school, proved to be of great value in forming the character of the future statesman and orator, for Shackleton was a most excellent teacher and a noble man. Later in life Burke attributed the foundation of his character and ability to the teaching and influence of Shackleton.

In 1743, at the age of about fourteen, Burke was sent to Trinity College, Dublin, where he remained until he received his bachelor's degree in 1748. Burke's student life was not marked by careful and serious following of the course of study. He preferred to read in accordance with his own pleasure in the library of the university, or to take long rambles in the country about Dublin. It must not be thought that he did not improve his mind while at the university; he simply preferred to follow the bent of his own intellect, a safe method for those only, perhaps, who in later life evince the possession of genius. So we find him making deep excursions of his own, in the library of the university, first into the realm of natural philosophy, then delving into mathematics, then into logic and metaphysics, then into history, and turning at length to read widely and deeply in the realm of poetry. He left the university with but a fair degree of scholarship, but with his mind saturated with a deep and broad information which was to be of inestimable value to him in his future career.

Of his companionships while at the university little is known. Oliver Goldsmith was a student at the University of Dublin at the same time, but it is not known that they were acquainted there. Their sincere friendship in after life as fellow-members of the famous "Literary Club" in London can not be told in detail here.

In 1750 he went to London to study law at the Temple. Of the next nine years of his life but little is known. It is known that he turned from the law to become a writer, thus deeply displeasing his father, who was a stern and severe man, and who was so incensed at his son's disregard of the father's wishes that he cut off Edmund's allowance and left him to shift for himself. He became one of the many young writers who frequented London at this time, doing "hack" work and practicing debate and oratory in the debating societies which were maintained by the young lawyers and writers of the time. In 1756 he published *A Vindication of Natural Society* and *A Philosophical Inquiry into the Origin of our Ideas on the Sublime and Beautiful*. The first of these, which was a satire upon the writings of Bolingbroke, a noted writer of works of a skeptical nature, brought him some reputation in England, while the second attracted some attention in Germany. He attempted several other works during these nine years, but they are of little value. It may be said that his most important work, as far as his future was concerned, was in connection with Dodsley's *Annual Register*, a publication which gave annually a summary of all important events, especially those of a political nature. It will be seen that the acquisition of information necessary to a writer upon a work of this character must have helped to make Burke that encyclopædia of political information which astounded the hearers of his speeches in Parliament at a later date.

In 1756 Burke married Mary Jane, daughter of Dr. Nugent, a physician of Bath. The marriage proved to be a very happy one.

In 1761 he accompanied William Gerard Hamilton, secretary to Lord Halifax, Lord Lieutenant of Ireland, to that country as Hamilton's assistant. In 1763 Hamilton procured for Burke a pension of three hundred

pounds a year; but the independent Burke, upon finding out that Hamilton had expected to purchase outright, not only Burke's services, but also his political independence, by means of the pension, quarreled with Hamilton, and, to regain his political freedom, threw up his pension after having enjoyed it but a year.

In 1765 Burke became private secretary to the Marquis of Rockingham, Prime Minister of Great Britain. Rockingham's ministry remained in power but a year, but there sprang up between the marquis and Burke a friendship which was interrupted only by the death of Rockingham in 1782. In 1766 Burke took his seat in Parliament for the borough of Wendover, and on January 27th of the same year, he made his first speech in Parliament, an effort of such splendid eloquence and logical argument as to bring him at once prominently before the public. His history from this time on is a part of the history of Great Britain.

BURKE'S POLITICAL LIFE AND PRINCIPLES

The keynote of Burke's political life and principles and of all his future political action may be summed up as follows: He was an earnest and intense believer in human liberty, but that human liberty must be based upon the principles of the English Constitution. He was an enemy to innovations. He strove earnestly for human liberty and happiness, but he strenuously resisted any radical change in the English Constitution. He held that it was not a change of *form* in government that was needed to bring about liberty and happiness, but only a fair and just administration of government under the principles of the existing constitution. It has often been said that Burke made an absolute change in his principles in his fierce resistance to the French Revolution. This is not true. He stood for the existing prin-

ciples of the constitution fairly and justly administered. He was not so much opposed to the struggles of the French for liberty as to their reckless overturning of all established religion and of the monarchical form of government. His conduct in this matter was entirely consistent with his earlier career, only his opposition to radical constitutional changes grew fiercer and fiercer as he advanced in years. Under this interpretation only can a fair and just estimate be placed upon Burke's political career.

Burke's political life may be properly divided into three periods—his life with respect to the affairs of England and her American colonies, his life with respect to England and her government of India, and his life with respect to the French Revolution.

Burke and American Affairs.—It may be said, despite the fact that during this period Burke was simply a member of Parliament, that nevertheless he was the principal factor in the Whig opposition to the policy and the party of the king. This period is marked by three great speeches, which, for breadth of information, clearness and force of argument, and splendor of presentation, have possibly never been equaled. These speeches were the *Speech on American Taxation* (in 1774), the *Speech on Conciliation with the American Colonies* (in 1775), and the *Letter to the Sheriffs of Bristol* (in 1777). The last, although not delivered orally, may also be classed as a speech. "It is no exaggeration to say that they ('the three pieces') compose the most perfect manual in our literature, or in any literature, for one who approaches the study of public affairs, whether for knowledge or for practice. They are an example without fault of all the qualities which the critic, whether a theorist or an actor, of great political situations should strive by night and by day to pos-

sess. If the subject with which they deal were less near than it is to our interests and affections as free citizens, these three performances would still abound in the lessons of an incomparable political method." The truth of this statement can not be discussed here, but the student who follows the study of these three speeches far enough will find out that Morley does not exaggerate.

The further discussion of Burke's "American Period" is left to the student in his study of the *Speech on Conciliation* and the history leading up to it, for which study provision is made elsewhere in this book.

Burke and the Affairs of India.—After the close of the American War Burke turned his attention to an equally great question—the question of the maladministration of the affairs of India by the East India Company. This period is marked by two tremendous efforts—the *Speech*, in 1785, *On the Nabob of Arcot's Debts*, and Burke's speeches, in 1786, at the prosecution of Warren Hastings, the chief administrative officer of the East India Company. The student should consult for a study of this period some extended life of Burke, or Macaulay's *Essay on Warren Hastings*.

Burke and the French Revolution.—The closing years of the "Indian Period" ushered in the French Revolution. Earlier in life Burke had visited Paris, where he was well received and entertained by the ablest men and women of that city. While in Paris he had seen the beautiful but ill-fated Marie Antoinette. The treatment which the fierce republican patriots of the French Revolution accorded to this woman, whose qualities and whose beauty had touched the sensitive Irishman most deeply, aroused his generous nature to a fiercer heat than it had ever before known; and in 1790 the world, which had always considered Burke an enemy of kings, was electrified by his publication of *Reflections on the*

Revolution in France, in which he fiercely attacked the revolutionists, and rose to sublime heights of eloquence in defense of the hapless queen. His reputation as a defender of the people against the misgovernment of kings was at once changed into that of a most ardent defender of kings. The *Reflections* must be read in order to realize the fierceness of his attack upon the revolutionists and their defenders. The common belief, however, that Burke in this affair changed his principles is incorrect. Burke was always a conservative. As has been said before, he was a believer in the reform of government under its existing system and principles, and he had always been radically opposed to changes in the form of governments. Pope's lines may be said to define Burke's position :

“ For forms of government let fools contest ;
What's best administered is best.”

In 1794 Burke bade farewell to Parliament. His son Richard took his father's place as member from Malton. The king, who, by Burke's attack upon the French Revolutionists, had been changed from an enemy to an ardent friend, determined to make Burke a peer of the realm under the title of Lord Beaconsfield. The patent of nobility was being prepared when Burke's son Richard, who was to succeed him in the title, suddenly died, thus destroying forever Burke's fondest hope of perpetuating his name and greatness through his son. Disappointed and heart-broken, he writes of this time : “ The storm has gone over me, and I lie like one of those old oaks which the late hurricane has scattered about me. I am stripped of all my honors ; I am torn up by the roots, and lie prostrate on the earth. . . . I am alone. I have none to meet my enemies in the gate. . . . I live in an inverted order. They who ought to have suc-

ceeded me have gone before me. They who should have been to me as posterity are in the place of ancestors."

Burke accepted in lieu of the title a pension of twenty-five hundred pounds a year. He who had once fiercely opposed the granting of pensions to favorites was now bitterly attacked in turn. He answered his enemies in his *Letter to a Noble Lord*, in which he justified his acceptance of a pension.

In 1796, as his life drew to a close, he rose to one more mighty effort. Pitt, then Prime Minister, had determined upon a peace with France, England's hereditary enemy. At the very mention of peace Burke came to the front with *Letters on a Regicide Peace* with his old-time eloquence and power. This was his last great effort. He died on the 9th of July, 1797, at the age of about sixty-eight years, preserving his faculties to the end. His last thoughts could hardly have been pleasant ones, for, in addition to his personal disappointments, he passed away just at a moment when his beloved England was in the midst of a mighty crisis.

"With magnanimous tenderness, Fox proposed that he should be buried among the great dead in Westminster Abbey; but Burke had left strict injunctions that his funeral should be private, and he was laid in the little church at Beaconsfield."

Of his family, no descendants remain except those descended from his sister.

BURKE'S PRIVATE LIFE

His Friends.—Among Burke's friends should be mentioned his old teacher's son, Richard Shackleton, a grave, pure gentleman, whom Burke loved most sincerely. They kept up a constant correspondence, and in later life Richard visited Burke at Beaconsfield.

There we find the pious Quaker kneeling alone in his chamber praying that a divine hand might guide his great friend in his mighty enterprises.

Another friend was William Burke, who was of no blood relation to Edmund, but who was his almost constant companion during the nine years from 1750 to 1759. Their friendship lasted to the end.

Another was the Marquis of Rockingham. Burke's appreciation of this noble friend is shown in his tribute to him in his *Speech on American Taxation*.

Another was Charles James Fox, in his earlier days his political opponent, but later his firm personal and political friend. The friendship of the two high souls unfortunately came to an end from an offense which Burke conceived Fox had given him by quoting as refutation of something Burke had said on the floor of the House a sentence from Burke's *Speech on Conciliation*. Burke's pride was so deeply wounded that he declared their friendship at an end. Fox explained, with tears in his eyes, that he meant no offense, and begged for a renewal of their friendship; but Burke had been too deeply wounded, and he ever after refused a reconciliation.

His happiest associations, outside his family, were among his friends at the famous "Literary Club," where he spent many delightful hours with Doctor Johnson, David Garrick, Sir Joshua Reynolds, Oliver Goldsmith, and others, whose names are too familiar to need discussion here.

In his friendships Burke was noble, manly, and generous, with the exception of his treatment of Fox, as related above, and a few other cases where trouble and grief had made him irritable in his later years.

Burke's Financial Affairs.—In his financial affairs Burke was no exception to the rule that most prominent

men of the time were deeply in debt. His life from the time when his father cut off his allowance until the receipt of his first pension in 1763 was a struggle for a livelihood. After he joined his fortunes with Rockingham, in 1765, he was in easier circumstances from the beneficence of that nobleman, and by means of loans from his friends. In 1769 he performed an astonishing financial feat. With a very limited income, and with no apparent means otherwise, Burke purchased a fine estate of about six hundred acres at Beaconsfield in Buckinghamshire at a cost of nearly twenty-two thousand pounds. How a "penniless man of letters" expected to pay for such an estate, or even to support its expense, is incomprehensible; for, aside from a small income resulting from the property and from his profits as a writer, and for a short time from the receipt of seven hundred pounds per annum as agent for the colony of New York, he had no resources. It is known, however, that the property was mortgaged for almost its entire value, and that the sum actually paid—about six thousand pounds—was loaned to him by Rockingham and other friends. He died heavily in debt, having borrowed from Rockingham alone sums amounting to thirty thousand pounds. This enormous debt was generously canceled in Rockingham's will.

BURKE'S CHARACTERISTICS

Personal Appearance.—In his personal appearance Burke was large and ungainly, awkward in gait and clumsy in his gestures. He was very near-sighted, and wore a pair of large spectacles, which, from their clumsiness of make at that time, were not qualified to add to the grace of one's personal appearance. He dressed badly, and destroyed whatever grace there was in his manner of dress by having his pockets stuffed out with

cumbrous rolls of manuscript. He spoke hurriedly, and with a strong Irish brogue. And yet there was about him that unmistakable air of the man of great affairs; the well-set lines of the mouth and the furrowed brow betokening the man of deep thought and suffering.

A Great Talker.—Burke was a great talker. Johnson said: "So desirous is he to talk, that if one is talking at this end of the table he'll talk to somebody at the other end; . . . that if you met him for the first time in the street, where you were stopped by a drove of oxen, and you and he stepped aside to take shelter but for five minutes, he'd talk to you in such a manner that when you parted you would say, 'This is an extraordinary man.'" Johnson also said that Burke was a better talker than listener—a not unnatural thing for the monopolizing old doctor to say. However, he must have been good company; for a few days before Johnson's death Burke called upon him and expressed a fear that himself and his friends might be oppressive to the sick man. "No, sir!" said Johnson, "it is not so; and I must be in a wretched state, indeed, when your company is not a delight to me."

His greatest fault in conversation or in speaking was that of refining his argument or explanation to the point of "splitting hairs." Goldsmith describes him as follows, in his poem *Retaliation*:

"Here lies our good Edmund, whose genius was such,
We scarcely can praise it, or blame it too much;
Who, born for the universe, narrowed his mind,
And to party gave up what was meant for mankind;
Though fraught with all learning, yet straining his throat
To persuade Tommy Townshend to lend him a vote;
Who, too deep for his hearers, still went on refining,
And thought of convincing, while they thought on dining;
Though equal to all things, for all things unfit;
Too nice for a statesman, too proud for a wit:

For a patriot too cool, for a drudge disobedient,
And too fond of the *right* to pursue the *expedient*.
In short 'twas his fate, unemployed, or in place, sir,
To eat mutton cold, and cut blocks with a razor."

Universal Interest.—Goldsmith was not far from the truth when he said that Burke was "fraught with all learning." He seemed able to lead the conversation, no matter what the subject. From the best method of raising cabbages and carrots on his farm to the minutest question of finances, or to one of art or literature, he seemed equally well versed.

Generosity.—He was exceedingly generous. When the poet Crabbe, then unknown and poor, wrote a letter to Burke asking assistance, it happened that Burke was most deeply absorbed in his struggle with Lord North; nevertheless, he sent for the young poet, gave him a sum of money, and finally assisted him to a position as chaplain to the Duke of Rutland. In another case, when he himself was deeply in debt, he paid, with the assistance of his cousin and his brother, the expenses of a struggling painter named Barry, for a period of five years, while the latter was studying art upon the Continent. The painter repaid his kindness with ingratitude.

At another time he became the protector of two Brahmans who had come to England and had been badly treated by the people of London. He took them to his home at Beaconsfield, where he entertained them and gave them an apartment in which to perform the rites of their religion.

The bread that he cast upon the waters returned to him, for his friends—as in the case of Rockingham—seemed to want to shower money upon him, and his good friend Dr. Brocklesby, when Burke was in financial distress, sent him a thousand pounds as a present, and begged the privilege of repeating the like every year.

His Irritability in Old Age.—As Burke grew old he became very irritable whenever a political subject was broached. This characteristic became so marked after his publication of his *Reflections on the French Revolution*, and the consequent defection of his political friends, that any reference to the subject had to be avoided in his presence. Miss Burney says that if the subject of politics were introduced into a pleasant conversation, his face immediately assumed “the expression of a man who is going to defend himself from murderers.” The question of the French Revolution had become almost a mania with him. On account of it he broke his friendship with his best friends. After he had broken with Fox, in the memorable scene related by Morley in the article on Burke in the *Encyclopædia Britannica*, he was taken home in a carriage by his friend Mr. Curwen; but upon finding that this friend also differed with him on the question, he was with difficulty restrained from getting out of the carriage. This characteristic was undoubtedly the reason why he never attained to a position in the ministry. Says one who had frequently heard Burke’s friends discuss the advisability of giving him a place in the ministry, “He was so violent, so overbearing, so arrogant, so intractable, that to have got on with him in a cabinet would have been utterly and absolutely impossible.” And yet it is pleasant to think that, at this very time when he was most broken and irritable from misfortunes, the defection of almost all his old friends, and the death of his only son, a friend who called at Beaconsfield found him rolling on the floor in the highest glee engaged in boisterous play with some little children, “and pouring out in his gambols the sublimest images, mixed with the most wretched puns.”

As an Orator.—See the paragraph on “Personal Appearance” and the quotation from Goldsmith under

"A Great Talker" for some of his characteristics as an orator. According to most accounts he lacked power to hold his audience, probably because he "cut blocks with a razor." He refined his argument until it became wearisome. The younger members called him "the dinner bell," because his rising to speak was a signal for a general departure of the members as if for dinner. It is said that his *Speech on Conciliation* "emptied the benches"; yet Macaulay says that at the trial of Warren Hastings his speech so affected the audience that "the energy and pathos of the great orator extorted expressions of unwonted admiration from all, and for a moment seemed to pierce even the resolute heart of the defendant. The ladies in the gallery . . . were in a state of uncontrollable emotion. Handkerchiefs were pulled out, smelling bottles were handed round, hysterical sobs and screams were heard, and some were even carried out in fits." The student will have to take his choice of these conflicting accounts.

As a Literary Man.—For a study of Burke as a literary man and writer it is suggested that the student examine Clark's *A Study of English Prose Writers*, pages 291-322 (Scribners), or Minto's *Manual of English Prose Literature*, pages 440-461 (Ginn & Co.).

Life Influence.—During his own time Burke's influence upon affairs was not great except perhaps upon the administration of the affairs of India, in the prosecution of Warren Hastings; but his good influence, through the study of his speeches and political writings, is incalculable. The march of ideas is always more irresistible than the march of armies. Those in power in Burke's time "wielded the thunder of the state"; their armies are dust and their navies have long since passed away; but the force of ideas which Burke mobilized and organized is still taking possession of citadels of

civilization in all lands where his language is spoken; and they will take possession of you, students, if you really *read* them, and will, through you as citizens, continue to influence the world for good government and for human right and liberty.

BIBLIOGRAPHY

As one of the most important parts of a student's training is the development of the power *to find books* upon any subject which he may be studying, it has been considered best not to give extended bibliographies, but rather to give such directions as will enable a student to make out his own bibliographies, and thus to acquire independent power in this important particular.

How to find Books.—The following method is suggested to the student as a guide in his search for books:

Let it be supposed that the subject the student wishes to look up is *The Causes of the Revolution*. Let him take some shorter history of the United States, say McLaughlin's (D. Appleton and Company), and turn to the word "Revolution" in the index. Here, under this word, he will find "causes of, 169-188." Now let him turn to page 169 and read the chapter. At its close he will find references, with the chapter or pages given, to ten other books. He should now write down in his notebook these references exactly as they are given, and then read out such as are accessible to him. In these books he will find so many other references that he will not need any other bibliography than that which he can find for himself. This can be continued indefinitely.

Taking Notes.—In taking notes of that part of the chapter which will be of use to him, the student should be careful to write after each note the title of the book where it can be found, giving chapter and page, in order

that he may be able to refer to it again or to cite his authority for his statement should he be called upon to do so.

Look first at Home for Books.—Oftentimes a student will carry home from the library books copies of which have long lain upon the shelves of the bookcase at home. Examine the books at home before going to the library.

Scarcity of Books in Smaller Cities and Towns.—Schools in smaller cities and towns often complain of the want of books. It should be remembered that, although in these places there may not be so wide a range of books, there are fewer students to use those that may be found. The greatest difficulty in securing books occurs in those cities with large libraries where there are a hundred or more students wanting the same book. Even a small town is certain to contain enough books in private libraries to admit of a fairly successful study of Burke's *Speech on Conciliation*; and boys and girls who will take good care of these books will be able to borrow them, for those who like to read books like to loan them to persons who will take good care of them. If there be among the students a spirit of helping each other, there will be little difficulty in securing books.

The Bibliography.—The following bibliographies consist of the best and most available books on the subject of Burke's *Speech on Conciliation*. The books named also contain extended bibliographies.

BIBLIOGRAPHIES

The Rise of the Spirit of Resistance

I. BRIEF HISTORIES

- A. McLaughlin's *History of the American Nation*. D. Appleton and Company. \$1.40.
- B. McMaster's *School History of the United States*. American Book Company. \$1.

- C. Fiske's *The American Revolution*, 2 vols. Houghton, Mifflin and Company. \$4.
- D. Lecky's *The American Revolution*. D. Appleton and Company. \$1.25.
- E. G. W. Greene's *Historical View of the American Revolution*. Houghton, Mifflin and Company. \$1.50.
- F. Sloane's *The French War and the Revolution*. Scribners. \$1.25.
- G. Fisher's *The Colonial Era*. Scribners. \$1.25.
- H. *American Commonwealth Series*, volumes concerning the Thirteen Original Colonies. Houghton, Mifflin and Company. \$1.25 each.
- I. *American Statesmen Series*, lives of statesmen concerned in the Revolution. Houghton, Mifflin and Company. \$1.25 each.

II. EXTENDED HISTORIES

- A. Bancroft's *History of the United States*, 6 vols. D. Appleton and Company. \$15.
- B. McMaster's *History of the People of the United States*, 6 vols. D. Appleton and Company. \$15.
- C. Hildreth's *History of the United States*, 6 vols. Harpers. \$12.
- D. Winsor's *Narrative and Critical History of America*, 8 vols. Houghton, Mifflin and Company. \$44.
- E. Larned's *History for Ready Reference and Topical Reading*; article, United States; contains many original documents. The C. A. Nichols Company. \$30.
- F. Tyler's *The Literary History of the American Revolution*, 2 vols. Putnams. \$3 each.

III. ORIGINAL SOURCES

- A. *Parliamentary History of England*, volumes covering period of the American Revolution.
- B. Dodsley's *Annual Register*, volumes covering period of the American Revolution.

IV. BOOKS CONTAINING BIBLIOGRAPHIES

- A. Channing and Hart's *Guide to the Study of American History*. Ginn and Company. \$2.
- B. Winsor's *Reader's Hand-Book of the American Revolution*. Houghton, Mifflin and Company. \$1.25.

V. BIBLIOGRAPHY ON THE HOUSE OF COMMONS

- A. McDonagh's *The Book of Parliament*. Isbister and Company, Limited, London. 6s. (Excellent.)
- B. Skottowe's *A Short History of Parliament*. Harpers. \$1.25.
- C. *An Anecdotal History of the British Parliament*, Jennings, compiler. D. Appleton and Company. \$2.50.
- D. *Munsey's Magazine* for November, 1897, contains a good article on *The Parliaments of the World*, by Thomas B. Reed.

VI. BIOGRAPHY OF EDMUND BURKE

- A. Morley's *Life of Edmund Burke*, English Men of Letters Series. Harpers. \$1.25. (Best short life.)
- B. *Encyclopædia Britannica*, article, Burke, Edmund, by John Morley; should be read by every student of the *Speech on Conciliation*.

VII. BURKE AS A LITERARY MAN

- A. Clark's *A Study of English Prose Writers*. Scribners. (Excellent.) Contains good bibliography. \$2.
- B. Minto's *A Manual of English Prose Writers*. Ginn and Company; contains excellent discussion of Burke's style. \$1.50.

VIII. THE STUDY OF ARGUMENTATION

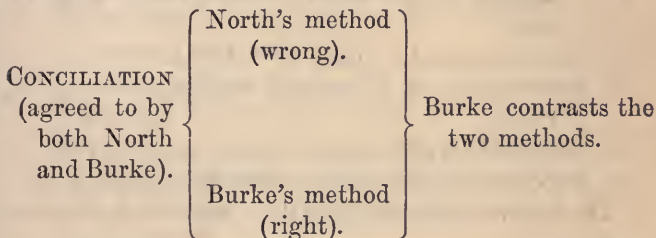
- A. Baker's *Principles of Argumentation*. Ginn and Company; the standard work. \$1.12.
- B. Brookings and Ringwalt's *Briefs for Debate*. Longmans, Green and Company. \$1.25.

IX. WHAT EVERY STUDENT OF BURKE'S SPEECH ON CONCILIATION SHOULD READ

- A. Samuel Johnson's *Taxation no Tyranny*, Johnson's works. This pamphlet states the English side of the case.
- B. Burke's *Speech on American Taxation* and Burke's *Letter to the Sheriffs of Bristol*, Burke's works. The *Speech on American Taxation* states the American side of the case.
- C. Beer's *The Commercial Policy of England toward the American Colonies*. The Macmillan Company. \$1.

INTRODUCTION TO THE STUDY OF THE BRIEF

The Thing of the Greatest Importance in the Comprehending of Burke's Argument.—Burke's *Speech on Conciliation* is an answer to Lord North's "project" (paragraph 10), entitled *Propositions for Conciliating the Differences with America*, the text of which is given in the note on paragraph 10, page 140. Burke's argument can not be comprehended without a thorough knowledge of this "project." The student should master its meaning. The following diagram gives the simple plan of Burke's *Speech*:



The First Reading of the Speech.—It is well-nigh impossible for a student to succeed in making a correct brief of Burke's *Speech on Conciliation* without having first familiarized himself with the *Speech* by giving it several careful readings. The student is advised to give the *Speech* at least one very careful reading, examining the notes upon each paragraph as he reads it, in order to understand such expressions as "the grand penal bill," "the object," "the statute of Henry the Eighth," etc.

The Making of the Brief.—The skeleton brief here given is so arranged as to induct the student gradually into the making of the complete brief. The brief of the Introduction to the *Speech* is given in full as a

model. The student should compare it carefully with the first fourteen paragraphs of the *Speech*, observing how the paragraphs are reduced to sentences by finding the central thought of each. Occasionally a paragraph will contain two or more separate and important thoughts. If the student will carefully compare the Introduction with the brief of the Introduction, he will have no trouble in completing, by his own efforts, the brief of the remainder of the *Speech on Conciliation*.

The System of Numbering in the Brief.—In the brief of the *Speech*—

1. The larger divisions of the *Speech* have been marked in bold-faced capitals, thus: **A, B, C**, etc.
2. Subdivisions of 1, thus: **I, II, III**, etc.
3. Subdivisions of 2, ordinary capitals, thus: **A, B, C**, etc.
4. Subdivisions of 3, Arabic figures, thus: **1, 2, 3**, etc.
5. Subdivisions of 4, small letters, thus: **a, b, c**, etc.

The following will illustrate the scheme of numbering:

A.

I.

II.

A.

B.

1.

2.

3.

a.

b.

c.

d.

In the brief here given, directions to the student are inclosed in brackets. and the numbers of paragraphs of

the *Speech* in marks of parenthesis, as in the following example: [Here follow with reasons, numbering 1, 2, 3, etc. (39-45).]

Final Instructions for the Comparison of the Brief of the Introduction with the Introduction to the Speech.—If the student will work this out carefully, he will save many hours of fruitless labor.

Observe the following reduction of paragraphs to brief sentences:

Paragraph (1) to I.

Paragraph (2) to II.

Paragraphs (3) and (4) to III, followed by a reason for the statement made therein, and marked A.

Paragraphs (5), (6), (7), and (8) to IV, followed by reasons A, B, and C:

Paragraph (9) to V.

Paragraph (10) to VI, followed by a reason, A.

Paragraphs (11), (12), and a part of (13) to VII, followed by reasons A, B, C, and D.

The latter part of paragraph (13) to VIII, followed by reasons A and B.

This brings Burke to the statement, in paragraph (14), of the two questions which he intends to discuss in the Brief Proper, and which, in the Brief of the Introduction here given, are stated in A and B under IX.

In the latter part of paragraph (14), he bridges the chasm between the Introduction and the Argument of the *Speech* by the statement which is reduced to X.

The student should follow out this explanation with painstaking care, reading each paragraph from his book, and then reading the sentence to which the paragraph has been reduced. The Brief of the Introduction here given he should use as a model for the Brief Proper, which, to a great extent, he must make out for himself.

The Use of Full Sentences in Brief-making.—A brief should be made out in concise but *complete* sentences, *not* in *phrases*.

BRIEF OF BURKE'S SPEECH ON CONCILIATION

Introduction

- I. The return of the grand penal bill gives Parliament another opportunity to choose a plan for the government of the American colonies (1).
- II. When Burke first entered Parliament, the gravity of this subject obliged him to take more than common pains to instruct himself in everything relating to it, and he arrived at fixed ideas (2).
- III. He has continued ever since in his original sentiments (3); but Parliament, with the opportunity of an enlarged view, has frequently made unjustifiable changes in its sentiments (4); for—
 - A. Its changes of policy have kept America in a state of continual agitation (4).
- IV. Burke feels compelled to address the House (5–8), for—
 - Remember* A. Public sentiment now demands that the minority cease opposing, and present a plan for the government of America (5).
 - B. Though a member of the minority should not hazard plans of government (6), public calamity forces decorum to yield to a higher duty (7).
 - Remember* C. His insignificance itself will cause his plan to be discussed upon its merit alone (8).
- V. Burke's proposition is to secure peace by removing the grounds of difference (9).

- VI. Burke's plan may disappoint some people (10), for—
A. It is so simple that it will not appeal to the curious (10).
- VII. Burke's plan derives advantages from the proposition and registry of Lord North's project (11), for (11-13)—
A. By accepting Lord North's resolution, the House has declared that conciliation is admissible¹ (11).
B. By accepting Lord North's resolution, the House has declared conciliation admissible *previous* to any submission on the part of the colonies (12).
C. By accepting Lord North's resolution, the House has gone further, and has admitted that complaints about the former mode of taxation have not been wholly unfounded (12).
D. Though Burke's plan differs from Lord North's as to mode, it is based on the same principle—that of conciliation (13).
- VIII. The proposal for peace ought to originate with England (13) ; for—
A. England, being the superior power, may offer peace with honor and safety (13).
- IX. Parliament has, then, two capital leading questions to consider (14) :
A. Whether England ought to concede (14).
B. What the concession should be (14).
- X. Parliament should determine both of these questions, not upon abstract ideas of right or upon mere general theories of government, but according to the true nature and the peculiar circumstances of the case (14).

BRIEF PROPER

Direct proof

A. England ought to conciliate the American colonies (14), for (15-65)—

I. The nature and circumstances of "the object" require conciliation (15), for (15-30)—

A. [Give here, in a complete sentence, the reason given in (15-16).]

B. [Give, as in A, reason in (17-28).]

Find reasons for B, numbering 1 and 2; and if reasons are given for either of these, state and mark a, b, etc. Arrange as follows:

1.

a.

2.

a.

b.

c.]

C. [Work out as in A. (29).]

D. [Work out as in A. (30).]

Refutation

II. Prudent management of the colonies is better than force (32), for (32-36)—

[Find four reasons for the above statement, write in condensed but complete sentences, and mark with capital letters, placing after each reason, in marks of parenthesis, the number of the paragraph wherein the reason is given.]

- III. [State the third general reason] (37), for—
 A. The spirit of liberty is stronger in the English colonies than in any other people on the earth (38), for—
 [Here follow with reasons, numbering 1, 2, 3, etc. (39-45).]
- IV. Something must be done with the fierce spirit of liberty which has grown up (46), for—
 A. Coercion has failed (46), for—
 [State three unhappy results of coercion (46, 47), numbering as heretofore.]
- V. Of three possible methods of dealing with America, the third only is feasible (48), for (49-65)—
 A. [State first method, and find reasons for its impossibility, numbering 1, 2, etc., and if reasons are given for these, state and mark a, b, etc., as in I, B (49-58).]
 B. [Work out as you did A (59-64).]
 C. The third method, being the only one left, we must therefore adopt (65).

Direct proof

(The nature of the concession)

- B. We must satisfy the complaint of the colonies that they are taxed in a Parliament in which they are not represented (66), for (66-88)—
 I. To please (conciliate) any people, you must give them the boon which they ask (66).

Refutation

II. The argument that England has a legal right to tax the colonies is immaterial (67), for (67-69)—

A. It is not a question of right, but of policy (67).

B. [Find another reason in (68)], for—

1. As a matter of policy, we should [complete this reason] (69).

III. The objection that a repeal of the revenue laws would be followed by an attack upon the trade laws (71) is illogical, for (70-75)—

A. [(72)]

B. [(73)]

C. [(74)]

D. [(75)]

IV. That the colonies will go further still (76) is untrue, for (76-77)—

A. [Find reason implied in (76).]

B. [(77)]

Direct proof

V. The genius of the English Constitution (the former policy) sustains Burke's plan of conciliation (79), for (80-87)—

[Here work out as reasons, and mark correctly, the four great examples in (80-87), and the fifth, or summary, in (88), with reasons for each, if any are given.]

(The method of the concession)

C. Although the distance prevents colonial representation in Parliament, a substitute for that method can be found (89), for (90-107)—

- I. The ancient constitutional policy of the kingdom has taught Parliament (90, 91)—
 - A. To establish the equity and justice of a taxation in America by *grant*, and not by *imposition* (91).
[Follow in B, C, and D, with three other items given in (91).]
- II. Parliament would command an immediate peace by admitting the following propositions (92):
 - A. That the colonies have no representation in Parliament (93).
 - B. That the colonies have been “touched and grieved” by unjust taxation (94), for (95, 96)—
[Work out reasons in (95, 96).]
 - C. [Briefly state the third proposition (97).]
 - D. [Briefly state the fourth proposition (98), giving reasons for (99).]
 - E. [Briefly state the fifth proposition (100), stating reasons given in (101–105).]
 - F. [Briefly state the sixth proposition (106), with reasons, if any are given (107).]

CONCLUSION

- A. Since it has been proved that coercion has failed, and that true conciliation has succeeded, shall not Parliament conclude to remove the discontent of the colonies by agreeing to “three consequential propositions”? [See (117), and for the “three consequential propositions” see (109), (114), and (115)], for (109–116)—

- I. Parliament would remove discontent among the colonies by repealing the penal acts enumerated in the resolution (109), for—
 - A. The Boston Port Bill is unjust (110), for—

[Work out two reasons in (110).]
 - B. [State reason in (111).]
 - C. [State reason in (112).]
 - D. [State reason in (113).]
- II. Parliament would remove discontent by securing a fair and unbiased judicature in the colonies (114).
- III. Parliament would remove discontent by regulating the courts of admiralty (115), so that they should be more commodiously situated and should render justice (116).

Refutation

- B. “Here I should close; but I perceive some objections remain, which I ought, if possible, to remove.”
 - I. The objection that the colonies will apply the concession made (government by *grant*) to all parts of legislative authority (118) can not be sustained, for—

[Work out reasons in (119–121).]
 - II. [State the objection in (122), and work out reasons in refutation in same paragraph.]
 - III. Lord North's plan is open to many objections (123), for—

[Work out seven reasons for this statement in (124–131), with reasons for D in (128, 129).]
 - IV. A comparison of Lord North's plan with Burke's will show which should be chosen (132), for—

[Work out contrasts in (132) as reasons.]

- V. The objection that Burke's plan will give no revenue (133) can not be sustained, for—
[Work out reasons in (133–136).]

PERORATION

- I. [State, in a single sentence, the thought in (137–138).]
II. [State, in a sentence, the thought in (139).]
III. Burke therefore moves his resolutions (140–155).



EDMUND BURKE.

EDMUND BURKE'S SPEECH

ON MOVING HIS RESOLUTIONS FOR

CONCILIATION WITH THE COLONIES

Delivered in the House of Commons, March 22, 1775

[1] I HOPE, Sir, that, notwithstanding the austerity of the Chair, your good nature will incline you to some degree of indulgence toward human frailty. You will not think it unnatural that those who have an object depending which strongly engages their hopes and fears should be somewhat inclined to superstition. As I came into the House, full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other House. I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favor by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our American government as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we are not at all

embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were, by a superior warning voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness.

1st Part [2] Surely it is an awful subject; or there is none so on this side of the grave. When I first had the honor of a seat in this House, the affairs of that continent pressed themselves upon us as the most important and most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British Empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to concenter my thoughts, to ballast my conduct, to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from America.

[3] At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

[4] Sir, Parliament, having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to censure on the motives of former parliaments to all those alterations, ^x one fact is undoubted—that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, a heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation—a situation which I will not miscall, which I dare not name; which I scarcely know how to comprehend in the terms of any description.

[5] In this posture, Sir, things stood at the beginning of the session. About that time a worthy member of great parliamentary experience, who in the year 1766, filled the chair of the American Committee with much ability, took me aside, and, lamenting the present aspect of our politics, told me, things were come to such a pass that our former methods of proceeding in the House would be no longer tolerated; that the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity; that the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent which nothing could satisfy, while we accused every measure of vigor as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries: we must produce our hand. It would be

expected that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

[6] I felt the truth of what my honorable friend represented; but I felt my situation, too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking than myself. Though I gave so far in to his opinion that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part, I am not ambitious of ridicule; not absolutely a candidate for disgrace.

[7] Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government, nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more, and that things were hastening toward an incurable alienation of our colonies, I confess my caution gave way. I felt this as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveler; and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

[8] To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are by what you ought to be, (I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it.) On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous, if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is; and you will treat it just as it deserves.

[9] The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace, sought in its natural course, and in its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the colonies in the mother country*, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very

same interest which reconciles them to British government.

✓ [10] My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is a healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendor of the project which has been lately laid upon your table by the noble lord in the blue ribbon. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace at every instant to keep the peace among them. // It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle. //

✓ [II] The plan which I shall presume to suggest derives, however, one great advantage from the proposition and registry of that noble lord's project,—the idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bills of pains and penalties, that we do not think ourselves precluded from all ideas of free grace and bounty.

[12] The House has gone further: it has declared conciliation admissible, *previous* to any submission on

the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have had something reprehensible in it, something unwise, or something grievous; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

[13] The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavor to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior; and he loses forever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

[14] The capital leading questions on which you must this day decide are these two: First, whether you

ought to concede; and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us; because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances, and not according to our own imaginations, nor according to abstract ideas of right; by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

x [15] The first thing that we have to consider with regard to the nature of the object is, the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and color, besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that state the numbers as high as we will, while the dispute continues,

the exaggeration ends. While we are discussing any given magnitude, they are grown to it. While we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood than they spread from families to communities, and from villages to nations.

[16] I put this consideration of the present and the growing numbers in the front of our deliberation; because, Sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you, that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

[17] But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person, at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the

same cause, without any other effect of time, than that to the fire of imagination and extent of erudition which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Same [18] Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view from whence, if you will look at this subject, it is impossible that it should not make an impression upon you.

Source of Authority
— [19] I have in my hand two accounts: one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772; the other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information.

Export Trade
Commerce [20] The export trade to the colonies consists of three great branches: the African, which, terminating almost wholly in the colonies, must be put to the account of their commerce; the West Indian; and the North American. All these are so interwoven that the attempt to separate them would tear to pieces the texture of the whole; and if not entirely destroy, would

very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

[21] The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus :—

Exports to North America and the West Indies..	£483,265
To Africa.....	86,665
	£569,930

[22] In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows :—

To North America and the West Indies.....	£4,791,734
To Africa.....	866,398
To which, if you add the export trade from Scotland, which had in 1704 no existence....	364,000
	£6,022,132

in proportions
[23] From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelvefold. This is the state of the colony trade as compared with itself at these two periods within this century; and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704.

The whole export trade of England, including that to the colonies, in 1704.....	£6,509,000
Export to the colonies alone in 1772	6,022,000
Difference.....	£487,000

[24] The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning

of this century with the whole world! (If I had taken the largest year of those on your table, it would rather have exceeded.) But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented, and augmented more or less in almost every part to which it ever extended; but with this material difference, that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one-twelfth part: it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods; and all reasoning concerning our mode of treating them must have this proportion as its basis, or it is a reasoning weak, rotten, and sophistical.

[25] Mr. Speaker, I can not prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit poterit cognoscere virtus*. Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues which made him one of the most amiable, as he is one of the most fortunate, men of

his age, had opened to him in vision that when, in the fourth generation, the third prince of the House of Brunswick had sat twelve years on the throne of that nation which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of peerage, while he enriched the family with a new one—if, amidst these bright and happy scenes of domestic honor and prosperity, that angel should have drawn up the curtain and unfolded the rising glories of his country, and while he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—"Young man, there is America, which at this day serves for little more than to amuse you with stories of savage men and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!" If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

[26] Excuse me, Sir, if, turning from such thoughts, I resume this comparative view once more. You have

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seen it on a large scale : look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? (Why, nearly fifty times as much;) for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

Emphasis [27] I choose, Sir, to enter into these minute and particular details because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth, invention is unfruitful, and imagination cold and barren.

[28] So far, Sir, as to the importance of the object in the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure, which deceive the burden of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed, but I must prescribe bounds to myself in a matter so vast and various.

argu [29] I pass, therefore, to the colonies in another point of view—their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded they will export much more. At the beginning of the century some of these colonies imported corn from the mother country: for some time past the Old World has been fed from the New. The scarcity which you have felt would have been a desolating famine, if this child

of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

—[30] As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit by which that enterprising employment has been exercised ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. While we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, while we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen Serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that while some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people—a people who are

still, as it were, but in the gristle, and not yet hardened into the bone of manhood.

[31] When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection—when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigor relents. I pardon something to the spirit of liberty.

[32] I am sensible, Sir, that all which I have asserted in my detail is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object: it is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will of course have some predilection for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favor of prudent management than of force—considering force not as an odious, but a feeble, instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

[33] First, Sir, permit me to observe that the use of force alone is but *temporary*. It may subdue for a moment, but it does not remove the necessity of subduing again; and a nation is not governed which is perpetually to be conquered.

Reason given for sum

pre. Conclusion from it

Elaboration of his conclusions

[34] My next objection is its *uncertainty*. Terror is not always the effect of force; and an armament is not a victory. If you do not succeed, you are without resource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness, but they can never be begged as alms by an impoverished and defeated violence.

[35] A further objection to force is, that you *im-pair the object* by your very endeavors to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me than *whole America*. I do not choose to consume its strength along with our own; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict, and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add that I do not choose wholly to break the American spirit; because it is the spirit that has made the country.

[36] Lastly, we have no sort of *experience* in favor of force as an instrument in the rule of our colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence.

[37] These, Sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concern-

ing this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce: I mean its *temper and character*.

+ [38] In this character of the Americans a love of freedom is the predominating feature which marks and distinguishes the whole; and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth; and this from a great variety of powerful causes; which, to understand the true temper of their minds and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

Political Trichy

[39] First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation, which still, I hope, respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favorite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates, or on the balance among the

Doct. of America

several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens and most eloquent tongues have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English Constitution to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages to reside in a certain body called a House of Commons. They went much further: they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons as an immediate representative of the people, whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect, themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their lifeblood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the im-

agination, that they, as well as you, had an interest in these common principles.

[40] They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in a high degree; some are merely popular; in all the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

[41] If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants; and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favorable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches from all that looks like absolute government is so much to be sought in their religious tenets as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favor and every kind of support from authority. The Church of England, too, was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism,

even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance: it is the dissidence of dissent, and the Protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners which has been constantly flowing into these colonies has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

~~But~~ Sir, I can perceive by their manner that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude,

Don't put in argument of opponents

liberty looks, among them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I can not alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

[43] Permit me, Sir, to add another circumstance in our colonies which contributes no mean part toward the growth and effect of this untractable spirit: I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to the Congress were lawyers. But all who read (and most do read) endeavor to obtain some smattering in that science. I have been told by an eminent bookseller that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of (*Blackstone's Commentaries*) in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers or smatterers in law; and that in Boston they have been enabled by successful chicane wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that

Best seller
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this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honorable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honors and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defense, full of resources.) In other countries the people, more simple and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

[44] The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that should fret and rage, and bite the chains of Nature? Nothing worse happens to you than does to all nations

who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk can not govern Egypt and Arabia and Kurdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all; and the whole of the force and vigor of his authority in his center is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies, too; she submits; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

[45] Then, Sir, from these six capital sources: of descent; of form of government; of religion in the northern provinces; of manners in the southern; of education; of the remoteness of situation from the first mover of government—from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth—a spirit that, unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

[46] I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is

more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame, but—what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude; the importance; the temper; the habits; the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! While every principle of authority and resistance has been pushed upon both sides as far as it would go, there is nothing so solid and certain either in reasoning or in practice, that has not been shaken. Until very lately all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity and its first vital movement from the pleasure of the crown. We thought, Sir, that the utmost which the discontented colonists could do was to disturb authority: we never dreamt they could of themselves supply it, knowing in general what an operose business it is to establish a government absolutely new. But having for our purposes in this contention resolved that none but an obedient assembly should sit, the humors of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experi-

ment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity and tacit consent have done the business in an instant. So well they have done it that Lord Dunmore (the account is among the fragments on your table) tells you that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called—not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed and transmitted to them in that condition from England. The evil arising from hence is this: that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

[47] Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigor for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue in this

state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? ^{Our} late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be, or that we have not at all adverted to some other far more important and far more powerful principles which entirely overrule those we had considered as omnipotent. I am much against any further experiments which tend to put to the proof any more of these allowed opinions which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad. ^{For} in order to prove that the Americans have no right to their liberties, we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings for which our ancestors have shed their blood.

[48] But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies and disturbs your government. These are, to change that spirit, as inconvenient, by removing the causes; to prosecute it as criminal; or to comply with it as necessary. I would not be guilty of an im-

perfect enumeration: I can think of but these three. Another has indeed been started—that of giving up the colonies; but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children who, when they can not get all they would have, are resolved to take nothing.

[49] The first of these plans, to change the spirit, as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

Beginning with the outline of Population
 [50] As the growing population in the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses by men of weight, and received not without applause, that in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands as to afford room for an immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

[51] But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You can not station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their

flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Appalachian Mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counselors, your collectors and comptrollers, and of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavor to keep as a lair of wild beasts that earth which God, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts, that the ruling power should never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

[52] Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging in population to be neither prudent nor practicable.

[53] To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind; a disposition even to continue the restraint after the offense; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them unserviceable in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that Nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

[54] The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We can not, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition: your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

Descendants from same

[55] I think it is nearly as little in our power to change their republican religion as their free descent; or to substitute the Roman Catholic, as a penalty; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World; and I should not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable bottom with their religion. You can not persuade them to burn their books of curious science; to banish their lawyers from their courts of laws; or to quench the lights of their assemblies by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us; not quite so effectual; and perhaps, in the end, full as difficult to be kept in obedience. *Ed* *Nov* *Slaves*

[56] With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free as it is to compel freemen to be slaves; and in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defense of freedom—a measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

[57] Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters?—from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

[58] But let us suppose all these moral difficulties got over. The ocean remains. You can not pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue.

“Ye gods, annihilate but space and time,
And make two lovers happy!”—

was a pious and passionate prayer; but just as reasonable as many of the serious wishes of very grave and solemn politicians.

[59] If then, Sir, it seems almost desperate to think of any alterative course for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority, but that the spirit infallibly will continue; and continuing, will produce such effects as now embarrass us—the second mode under consideration is, to prosecute that spirit in its overt acts as *criminal*.

fms [60] At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving

such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I can not insult and ridicule the feelings of millions of my fellow-creatures as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men, this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

gmo [61] Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this: (that an empire is the aggregate of many states under one common head, whether this head be a monarch, or a presiding republic.) It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority, the line may be extremely nice. Of course disputes—often, too, very bitter disputes—and much ill blood, will arise; but though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex*

from

vi termini, to imply a superior power; for to talk of the privileges of a state, or of a person who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent than for the head of the empire to insist that, if any privilege is pleaded against his will or his acts, his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government against which a claim of liberty is tantamount to high treason is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.)

[62] We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I can not proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect that, in my little reading upon such contests as these, the sense of mankind has at least as often decided against the superior as the subordinate power. Sir, let me add, too, that the opinion of my having some abstract right in my favor would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight

with me, when I find things so circumstanced that I see the same party at once a civil litigant against me in point of right, and a culprit before me, while I sit as a criminal judge on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

[63] There is, Sir, also a circumstance which convinces me that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought hither, under an act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken toward the apprehension or conviction of any individual offender, either on our late or our former address; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility toward an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shows how difficult it is to apply these juridical ideas to our present case.

[64] In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made toward our object, by the sending of a force which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation, after

such confident hopes, bold promises, and active exertions, I can not for my life avoid a suspicion that the plan itself is not correctly right.

[65] If, then, the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or, if applicable, are in the highest degree inexpedient, what way yet remains? No way is open but the third and last—to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

[66] If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concession ought to be. To ascertain the nature of our concession, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in a Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

[67] Sir, I think you must perceive that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a

power excepted and reserved out of the general trust of government; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature; or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other; where reason is perplexed; and an appeal to authorities only thickens the confusion; for high and reverend authorities lift up their heads on both sides; and there is no sure footing in the middle. This point is the great

“Serbonian bog,
Betwixt Damietta and Mount Casius old,
Where armies whole have sunk.”

I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I ought to do. Is a politic act the worse for being a generous one? Is no concession proper but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles and all those arms? Of what avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit; and that I could do nothing but wound myself by the use of my own weapons?

[68] Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations,

that if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity to all generations; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law; I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

[69] My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favor, is *to admit the people of our colonies into an interest in the Constitution*; and by recording that admission in the journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean forever to adhere to that solemn declaration of systematic indulgence.

[70] Some years ago, the repeal of a revenue act, upon its understood principle, might have served to show that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion and to give perfect content. But unfortunate events since that time may make something further necessary; and not more necessary for the satisfaction of the colonies than for the dignity and consistency of our own future proceedings.

[71] I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too

acute; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess that they hope no good from taxation; but they apprehend the colonists have further views; and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced that this was the intention from the beginning; and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language, even of a gentleman of real moderation and of a natural temper well adjusted to fair and equal government. I am, however, Sir, not a little surprised at this kind of discourse whenever I hear it; and I am the more surprised on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths and on the same day.

[72] For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord in the blue ribbon shall tell you that the restraints on trade are futile and useless, of no advantage to us, and of no burden to those on whom they are imposed; that the trade to America is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

[73] Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a

clear admission of the futility of the scheme—then, Sir, the sleeping trade laws revive from their trance, and this useless taxation is to be kept sacred, not for its own sake, but as a counterguard and security of the laws of trade.

[74] Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value; and yet one is always to be defended for the sake of the other. But I can not agree with the noble lord nor with the pamphlet from whence he seems to have borrowed these ideas concerning the inutility of the trade laws; for, without idolizing them, I am sure they are still, in many ways, of great use to us; and in former times they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations; or that these commercial regulations are the true ground of the quarrel; or that the giving way, in any one instance, of authority, is to lose all that may remain unconceded.

[75] One fact is clear and indisputable: the public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real, radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation. There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out

of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures? Surely it is preposterous at the very best. It is not justifying your anger by their misconduct; but it is converting your ill will into their delinquency.

[76] “But the colonies will go further.” Alas! alas! when will this speculating against fact and reason end? What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything peculiar in this case to make a rule for itself? Is all authority of course lost when it is not pushed to the extreme? Is it a certain maxim that the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

[77] All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience, they did not, Sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

[78] In forming a plan for this purpose, I endeavored to put myself in that frame of mind which was the most natural, and the most reasonable, and which was certainly the most probable means of securing me from

all error. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution and so flourishing an empire, and what is a thousand times more valuable—the treasury of the maxims and principles which formed the one, and obtained the other.

[79] During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs showed that they had not chosen the most perfect standard. But, Sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English Constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me: those of Ireland, Wales, Chester, and Durham.

[80] Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English Parliament itself was at that time modeled according to the present form, is disputed among antiquarians. But we have all the reason in the world to be assured that a form of parliament such as England then enjoyed, she instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil, and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us

at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence: English authority and English liberties had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davies shows beyond a doubt that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered that nothing could make that country English in civility and allegiance but your laws and your forms of legislature. It was not English arms, but the English Constitution, that conquered Ireland. From that time Ireland has ever had a general parliament, as she had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings; you restored them; you altered the succession to theirs, as well as to your own crown; but you never altered their constitution, the principle of which was respected by usurpation, restored with the restoration of monarchy, and established, I trust, forever, by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is; and from a disgrace and a burden intolerable to this nation, has rendered her a principal part of our strength and ornament. This country can not be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If

they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment, if the casual deviations from them at such times were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the Constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British Empire.

[81] My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed; and no good one was substituted in its place. The care of that tract was put into the hands of lords marchers—a form of government of a very singular kind; a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander in chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government: the people were ferocious, restive, savage, and uncultivated, sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

[82] Sir, during that state of things, Parliament was not idle. They attempted to subdue the fierce spirit of

the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained that his trial should be always by English. They made acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

[83] Here we rub our hands. "A fine body of precedents for the authority of Parliament and the use of it!" I admit it fully; and pray add likewise to these precedents, that all the while Wales rid this kingdom like an *incubus*; that it was an unprofitable and oppressive burden; and that an Englishman traveling in that country could not go six yards from the highroad without being murdered.

[84] The march of the human mind is slow. Sir, it was not until after two hundred years discovered that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill-husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured; and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accord-

ingly, in the twenty-seventh year of Henry the Eighth, the course was entirely altered. With a preamble stating the entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing so incongruous that, eight years after—that is, in the thirty-fifth of that reign—a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales by act of Parliament. From that moment, as by a charm, the tumults subsided, obedience was restored, peace, order, and civilization followed in the train of liberty. When the day-star of the English Constitution had arisen in their hearts, all was harmony within and without—

“*Simul alba nautis
Stella refulsit,
Defluit saxis agitatus humor ;
Concidunt venti, fugiuntque nubes,
Et minax (quod sic voluere) ponto
Unda recumbit.*”

[85] The very same year the county palatine of Chester received the same relief from its oppressions and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence Richard the Second drew the standing army of archers with which for a time he oppressed England. The people of Chester applied to Parliament in a petition penned as I shall read to you :

“To the king our sovereign lord, in most humble wise shewen unto your most excellent Majesty, the inhabitants of your Grace’s county palatine of Chester: (1) That where the said county palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of Parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said country: (2) And forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said Highness, and your most noble progenitors, by authority of the said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of Parliament, and yet have had neither knight ne burgess there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your Grace’s most bounden subjects inhabiting within the same.”

[86] What did Parliament with this audacious address? Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress, and consecrated its principle to all ages in the sanctuary of legislation.

[87] Here is my third example. It was attended with the success of the two former. Chester, civilized

as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles the Second with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester Act; and without affecting the abstract extent of the authority of Parliament, it recognizes the equity of not suffering any considerable district in which the British subjects may act as a body to be taxed without their own voice in the grant.

[88] Now, if the doctrines of policy contained in these preambles, and the force of these examples in the acts of Parliament, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the Act of Henry the Eighth says the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people can not amount to above 200,000—not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. "But your legislative authority is perfect with regard to America!" Was it less perfect in Wales, Chester, and Durham? "But America is virtually represented!" What! does the electric force of virtual representation more easily pass over the Atlantic than pervade Wales, which lies in your

neighborhood? or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater and infinitely more remote?

[89] You will now, Sir, perhaps, imagine that I am on the point of proposing to you a scheme for a representation of the colonies in Parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura*—I can not remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it; and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened, and there are often several means to the same end. What Nature has disjoined in one way, Wisdom may unite in another. When we can not give the benefit as we would wish, let us not refuse it altogether. If we can not give the principal, let us find a substitute. But how? Where? What substitute?

[90] Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths; not to the *Republic* of Plato; not to the *Utopia* of More; not to the *Oceana* of Harrington. It is before me; it is at my feet—

“and the rude swain
Treads daily on it with his clouted shoon.”

I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of Parliament; and as to the practice, to return to that mode which a uniform experience has marked out to you as best, and in which you walked with security, advantage, and honor, until the year 1763.

[91] My resolutions therefore mean to establish the equity and justice of a taxation of America by *grant*, and not by *imposition*; to mark the *legal competency* of the colony assemblies for the support of their government in peace, and for public aids in time of war; to acknowledge that this legal competency has had *a dutiful and beneficial exercise*; and that experience has shown the *benefit of their grants* and the *futility of parliamentary taxation as a method of supply*.

[92] These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence that, if you admitted these, you would command an immediate peace, and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

[93] Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution—

That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament.

This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution: it is taken nearly *verbatim* from acts of Parliament.

[94] The second is like unto the first—

That the said colonies and plantations have been liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of Parliament, of their own election, to represent the condition of their country; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.

[95] Is this description too hot or too cold, too strong or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of Parliament.

“Non meus hic sermo, sed quæ præcepit Ofellus,
Rusticus, abnormis sapiens.”

It is the genuine produce of the ancient, rustic, manly, home-bred sense of this country. I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to touch with a tool the stones which con-

struct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering—the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers, where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written. I was resolved to use nothing else than the form of sound words, to let others abound in their own sense, and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

Edwards [86] There are indeed words expressive of grievance in this second resolution which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case, although Parliament thought them true, with regard to the counties of Chester and Durham. They will deny that the Americans were ever “touched and grieved” with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretense for this denial. But men may be sorely touched and deeply grieved in their privileges as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the twopence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offense, on the part of those who enjoyed such favors, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost

all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George the Second? Else why were the duties first reduced to one third in 1764, and afterward to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue ribbon, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

[97] The next proposition is—

That from the distance of the said colonies and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said colonies.

This is an assertion of a fact. I go no further on the paper, though in my private judgment a useful representation is impossible. I am sure it is not desired by them; nor ought it, perhaps, by us; but I abstain from opinions.

[98] The fourth resolution is—

That each of the said colonies hath within itself a body, chosen in part or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the General Assembly or General Court; with powers legally to raise, levy, and assess, according to the several usage of such colonies, duties and taxes toward defraying all sorts of public services.

[99] This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, "an aid to his Majesty"; and acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British Parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say that if the crown could be responsible, his Majesty—but certainly the ministers, and even these law officers themselves through whose hands the acts pass, biennially in Ireland or annually in the colonies, are in an habitual course of committing impeachable offenses. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attorneys and all solicitors-general! However, they are safe, as no one impeaches them; and there is no ground of charge against them, except in their own unfounded theories.

[100] The fifth resolution is also a resolution of fact—

That the said General Assemblies, General Courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of state; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by Parliament.

To say nothing of their great expenses in the Indian wars; and not to take their exertion in foreign ones so

at various times the colonies have been granted public aids to parliament and at sundry times paid. have been acknowledged

high as the supplies in the year 1695; not to go back to their public contributions in the year 1710: I shall begin to travel only where the journals give me light, resolving to deal in nothing but fact, authenticated by parliamentary record, and to build myself wholly on that solid basis.

[101] On the 4th of April, 1748, a committee of this House came to the following resolution:

Resolved, That it is the opinion of this committee *that it is just and reasonable* that the several provinces and colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode Island be reimbursed the expenses they have been at in taking and securing to the crown of Great Britain the island of Cape Breton and its dependencies.

These expenses were immense for such colonies. They were above £200,000 sterling; money first raised and advanced on their public credit.

[102] On the 28th of January, 1756, a message from the king came to us to this effect:

“His Majesty, being sensible of the zeal and vigor with which his faithful subjects of certain colonies in North America have exerted themselves in defense of his Majesty’s just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a *proper reward and encouragement*.”

[103] On the 3d of February, 1756, the House came to a suitable resolution, expressed in words nearly the same as those of the message; but with the further addition, that the money then voted was an *encouragement* to the colonies to exert themselves with vigor. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions: I will only refer you to the places in the journals:

Vol. xxvii.—May 16 and 19, 1757.

Vol. xxviii.—June 1, 1758; April 26 and 30, 1759;
March 26 and 31 and April 28, 1760;
January 9 and 20, 1761.

Vol. xxix.—January 22 and 26, 1762; March 14 and
17, 1763.

[104] Sir, here is the repeated acknowledgment of Parliament that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things: first, that the colonies had gone beyond their abilities, Parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful; and encouragement is not held out to things that deserve reprehension. My resolution therefore does nothing more than collect into one proposition what is scattered through your journals. I give you nothing but your own; and you can not refuse in the gross what you have so often acknowledged in detail. The admission of this, which will be so honorable to them and to you, will indeed be mortal to all the miserable stories by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears—that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this House that the colonies were then in debt two million six hundred thousand pounds sterling money, and was of opinion they would discharge that

1703. Taxing system began

overflowing fullness

debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine: the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition with prudence or propriety; and when the burdens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony since that time ever has had any requisition whatsoever made to it.

[105] We see the sense of the crown and the sense of Parliament on the productive nature of a *revenue by grant*. Now search the same journals for the produce of the *revenue by imposition*. Where is it? Let us know the volume and the page? What is the gross, what is the net produce? To what service is it applied? How have you appropriated its surplus? What! can none of the many skillful index makers that we are now employing find any trace of it? Well, let them and that rest together. But are the journals, which say nothing of the revenue, as silent on the discontent? Oh, no! a child may find it. It is the melancholy burden and blot of every page.

[106] I think, then, I am, from those journals, justified in the sixth and last resolution, which is—

That it hath been found by experience that the manner of granting the said supplies and aids by the said General Assemblies, hath been more agreeable to the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids in Parliament. to be raised and paid in the said colonies.

Summary [107] This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You can not say that you were driven by any necessity to an exercise of the utmost rights of legislature. You can not assert that you took on yourselves the task of imposing colony taxes, from the want of another legal body that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

[108] The question now, on all this accumulated matter, is—whether you will choose to abide by a profitable experience, or a mischievous theory; whether you choose to build on imagination, or fact; whether you prefer enjoyment, or hope; satisfaction in your subjects, or discontent?

[109] If these propositions are accepted, everything which has been made to enforce a contrary system must, I take it for granted, fall along with it. On that ground I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner :

That it may be proper to repeal an act made in the seventh year of the reign of his present Majesty, entitled, “An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom, of coffee and cocoanuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on China earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.” And that it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, “An act to discontinue, in such manner and for such time as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares, and merchandise, at the town and within the

harbor of Boston, in the province of Massachusetts Bay, in North America.”—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, “An act for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England.”—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, “An act for the better regulating the government of the province of Massachusetts Bay, in New England.”—And also, that it may be proper to explain and amend an act made in the thirty-fifth year of the reign of King Henry the Eighth, entitled, “An act for the trial of treasons committed out of the king’s dominions.”

[110] I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king’s pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence which induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

[111] Ideas of prudence and accommodation to circumstances prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts colony, though the crown has far less power in the two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommo-

dation have weight with me in restoring the charter of Massachusetts Bay. Besides, Sir, the act which changes the charter of Massachusetts is in many particulars so exceptionable that, if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the governor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

[112] The act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation; and therefore must, on my principle, get rid of that most justly obnoxious act.

[113] The act of Henry the Eighth for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the crown does not extend.

[114] Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiassed judicature; for which purpose, Sir, I propose the following resolution:

That, from the time when the General Assembly or General Court of any colony or plantation in North America shall have appointed, by act of Assembly duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior courts, it may be proper that the said chief justice and other judges of the superior courts of such colony shall hold his and

their office and offices during their good behavior; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the General Assembly, or on a complaint from the governor or council or the House of Representatives, severally, of the colony in which the said chief justice and other judges have exercised the said offices.

[115] The next resolution relates to the courts of admiralty. It is this :

That it may be proper to regulate the courts of admiralty or vice-admiralty authorized by the fifteenth chapter of the fourth of George the Third, in such a manner as to make the same more commodious to those who sue or are sued in the said courts, and to provide for the more decent maintenance of the judges in the same.

[116] These courts I do not wish to take away: they are in themselves proper establishments. This court is one of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been increased ; but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice ; and a court partaking in the fruits of its own condemnation, is a robber. The Congress complain, and complain justly, of this grievance.

[117] These are the three consequential propositions. I have thought of two or three more ; but they come rather too near detail, and to the province of executive government, which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed will be, I hope, rather unseemly encumbrances on the building, than very materially detrimental to its strength and stability.

[118] Here, Sir, I should close; but I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be that, in resorting to the doctrine of our ancestors as contained in the preamble to the Chester Act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

[119] To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer that *the words are the words of Parliament, and not mine*; and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have chosen the words of an act of Parliament which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table in confirmation of his tenets. It is true that Lord Chatham considered these preambles as declaring strongly in favor of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume that these preambles are as favorable as possible to both, when properly understood—favorable both to the rights of Parliament, and to the privilege of the dependencies of this crown? But, Sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies, and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure*, or *de facto*, bound, the preambles do not accurately dis-

tinguish; nor indeed was it necessary; for, whether *de jure* or *de facto*, the legislature thought the exercise of the power of taxing, as of right or as of fact without right, equally a grievance, and equally oppressive.

[120] I do not know that the colonies have, in any general way or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man or any set of men when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is, besides, a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and fellowship of a great empire. But in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic

dignity of human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But although there are some among us who think our Constitution wants many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country and risking everything that is dear to him. In every arduous enterprise, we consider what we are to lose as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

[121] The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces; and I confess I feel not the least alarm from the discontents which are to arise from putting people at their ease; nor do I apprehend the destruction of this empire from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens, some share of those rights upon which I have always been taught to value myself.

[122] (It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire, which was preserved entire, although

Wales, and Chester, and Durham were added to it.) Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. (England is the head; but she is not the head and the members too.) Ireland has ever had from the beginning a separate, but not an independent legislature; which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

[123] But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned whenever it is my misfortune to continue a difference with the majority of this House. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large when the question was before the committee.

[124] First, then, I can not admit that proposition of a ransom by auction, because it is a mere project. It

is a thing new ; unheard of ; supported by no experience ; justified by no analogy ; without example of our ancestors, or root in the Constitution. It is neither regular parliamentary taxation nor colony grant. *Experimentum in corpore vili* is a good rule which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects—the peace of this empire.

[125] Secondly, it is an experiment which must be fatal in the end to our Constitution. For what is it but a scheme for taxing the colonies in the antechamber of the noble lord and his successors ? To settle the quotas and proportions in this House, is clearly impossible. You, Sir, may flatter yourself you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burden, is a wild and chimerical notion. This new taxation must therefore come in by the back door of the Constitution. Each quota must be brought to this House ready formed. You can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition ? You can not hear the counsel for all these provinces quarreling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of Parliament.

[126] Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent ; you answer, that you

will fix the sum at which they shall be taxed; that is, you give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon: it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties which furnished their contingent upon the importation of your manufactures, you know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found that you will neither leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other.

[127] Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion, consider, I implore you, that the communication by special messages and orders between these agents and their constituents on each variation of the case, when the parties come to contend together and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

[128] If all the colonies do not appear at the outcry, what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies who refuse all composition will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies

in this scheme are heavily taxed ; the refractory remain unburdened. What will you do ? Will you lay new and heavier taxes by Parliament on the disobedient ? Pray consider in what way you can do it. You are perfectly convinced that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom and are taxed to your quota, how will you put these colonies on a par ? Will you tax the tobacco of Virginia ? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed colony ? Who has said one word on this labyrinth of detail which bewilders you more and more as you enter into it ? Who has presented, who can present you with a clew to lead you out of it ? I think, Sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New England fishery) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burden those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

[129] Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling, and then you have no effectual revenue ; or you change the quota at every ex-

gency, and then on every new repartition you will have a new quarrel.

[130] Reflect, besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears : you can not issue a treasury extent against the failing colony. You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the Empire of Germany raises her revenue and her troops by quotas and contingents ; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in the world.

[131] Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed, the noble lord who proposed this project of a ransom by auction seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for establishing a revenue. He confessed, he apprehended, that his proposal would not be to *their taste*. I say this scheme of disunion seems to be at the bottom of the project ; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it can not accord with one whose foundation is perpetual discord.

[132] Compare the two. This I offer to give you is plain and simple ; the other full of perplexed and intricate mazes. This is mild ; that harsh. This is found

by experience effectual for its purposes; the other is a new project. This is universal; the other calculated for certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people—gratuitous, unconditional, and not held out as matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness; may you decide with wisdom! For my part, I feel my mind greatly disburdened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort—that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction of this empire. I now go so far as to risk a proposal of my own. If I can not give peace to my country, I give it to my conscience.

[133] “But what,” says the financier, “is peace to us without money? Your plan gives us no revenue.” No! But it does; for it secures to the subject the power of REFUSAL—the first of all revenues. Experience is a cheat and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750:11:2½, nor any other paltry limited sum; but it gives the strong box itself, the fund, the bank, from whence only revenues can arise among a people sensible of freedom: *Posita luditur arca*. Can not you in England, can not you at

this time of day, can not you, a House of Commons, trust to the principle which has raised so mighty a revenue and accumulated a debt of near 140,000,000 in this country? Is this principle to be true in England, and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume that, in any country, a body duly constituted for any function will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all governments in all modes. But in truth, this dread of penury of supply from a free assembly has no foundation in nature. For first observe, that besides the desire which all men have naturally of supporting the honor of their own government, that sense of dignity and that security to property which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence by the straining of all the politic machinery in the world.

[134] Next, we know that parties must ever exist in a free country. We know, too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears must send them all in their turns to him that holds the balance of the state. The parties are the gamblers; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted than that government will not be supplied. Whereas, whatever is got by acts of absolute power, ill obeyed because odious, or

by contracts ill kept because constrained, will be narrow, feeble, uncertain, and precarious.

“Ease would retract
Vows made in pain, as violent and void.”

[135] I, for one, protest against compounding our demands. I declare against compounding, for a poor limited sum, the immense, ever-growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

[136] But to clear up my ideas on this subject—a revenue from America transmitted hither—do not delude yourselves: you never can receive it—no, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America? For certainly, if ever there was a country qualified to produce wealth, it is India; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects on which you lay your duties here, and gives you at the same time a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may—I doubt not she will—contribute in moderation. I say in moderation; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most

likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

[137] For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British Constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government—they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance. But let it be once understood that your government may be one thing and their privileges another; that these two things may exist without any mutual relation—the cement is gone, the cohesion is loosened, and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces toward you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain; they may have it from Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true Act of Navigation which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom,

and you break that sole bond which originally made, and must still preserve, the unity of the empire. Do not entertain so weak an imagination as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office and your instructions and your suspending clauses are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English Constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

[138] Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the committee of supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience without which your army would be a base rabble, and your navy nothing but rotten timber.

[139] All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us—a sort of people who think that nothing exists but what is gross and material; and who, therefore, far from being qualified to be directors of the great movement of em-

pire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom ; and a great empire and little minds go ill together. If we are conscious of our situation and glow with zeal to fill our place as becomes our station and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By advertising to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive, and the only honorable conquests, not by destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is ; English privileges alone will make it all it can be.

[140] In full confidence of this unalterable truth, I now (*quod felix faustumque sit*) lay the first stone of the temple of peace ; and I move you—

That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament.

[End of speech, as delivered.]

[141] Upon this resolution the previous question was put, but the resolution failed of adoption—yeas 78, noes 270.

[142] As the propositions were opened separately in the body of the speech, the reader perhaps may wish to see the whole of them together in the form in which they were moved for. The first four motions and the last had the previous question put on them. The others were negatived. The words in italics were, by amendment, left out of the motion.

Moved,

[143] That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament.

[144] That the said colonies and plantations have been made liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of Parliament, of their own election, to represent the condition of their country; *by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.*

[145] That from the distance of the said colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said colonies.

[146] That each of the said colonies hath within itself a body, chosen in part or in the whole by the freemen, freeholders, or other free inhabitants thereof, commonly called the General Assembly, or General Court; with powers legally to raise, levy, and

assess, according to the several usage of such colonies, duties and taxes toward defraying all sorts of public services.

[147] That the said General Assemblies, General Courts, or other bodies, legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of state; and that their right to grant the same and their cheerfulness and sufficiency in the said grants have been at sundry times acknowledged by Parliament.

[148] That it hath been found by experience that the manner of granting the said supplies and aids by the said General Assemblies hath been more agreeable to the inhabitants of the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids and subsidies in Parliament to be raised and paid in the said colonies.

[149] That it may be proper to repeal an act made in the seventh year of the reign of his present Majesty, entitled, "An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs, upon the exportation from this kingdom, of coffee and cocoanuts, of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on China earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations."

[150] That it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, "An act to discontinue, in such manner and for such time as are therein mentioned, the landing

and discharging, lading or shipping of goods, wares, and merchandise, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America."

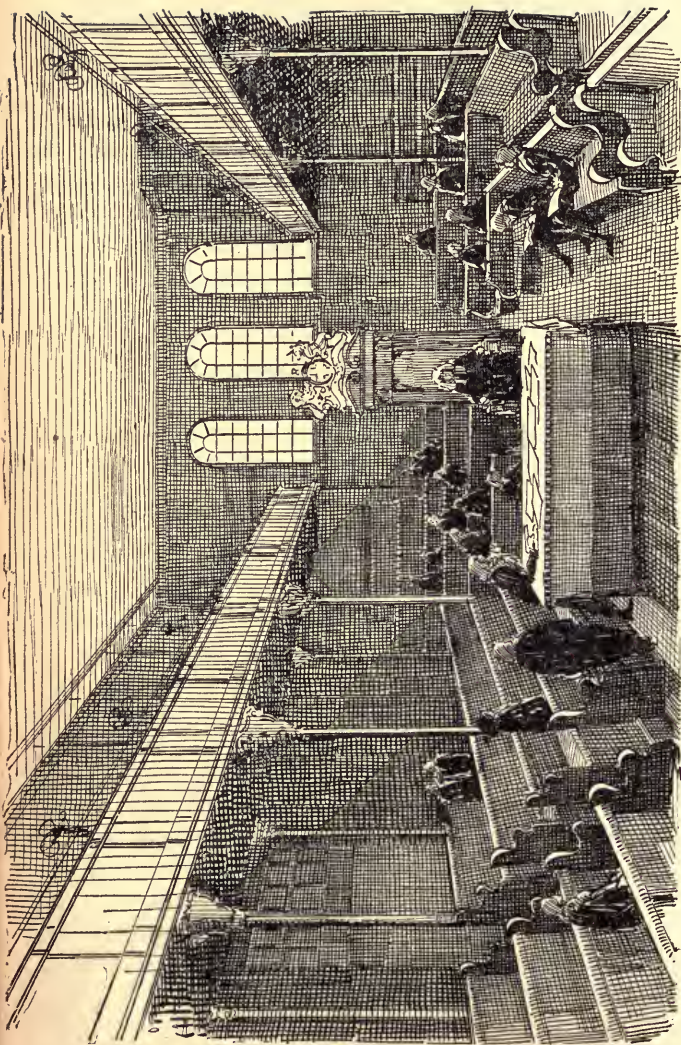
[151] That it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, entitled, "An act for the impartial administration of justice in cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England."

[152] That it is proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, entitled, "An act for the better regulating the government of the province of Massachusetts Bay, in New England."

[153] That it is proper to explain and amend an act made in the thirty-fifth year of the reign of King Henry the Eighth, entitled, "An act for the trial of treasons committed out of the king's dominions."

[154] That from the time when the General Assembly, or General Court, of any colony or plantation in North America, shall have appointed, by act of Assembly duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior courts, it may be proper that the said chief justice and other judges of the superior courts of such colony shall hold his and their office and offices during their good behavior, and shall not be removed therefrom but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the General Assembly, or on a complaint from the governor, or council, or the House of Representatives, severally, of the colony in which the said chief justice and other judges have exercised the said office.

[155] That it may be proper to regulate the courts of admiralty or vice-admiralty authorized by the fifteenth chapter of the fourth of George the Third, in such a manner as to make the same more commodious to those who sue or are sued in the said courts, *and to provide for the more decent maintenance of the judges of the same.*



Interior of the House of Commons in time of Burke.

NOTES ON THE TEXT

¶ 1. Sir. The Speaker of the House of Commons, at that time Sir Fletcher Norton.

Austerity of the Chair. The office of Speaker of the House of Commons necessitates the use of the most impartial judgment. Burke had some cause to mollify the austerity of the Chair, and for begging a degree of "indulgence toward human frailty"; for he had the habit of delivering long speeches, interesting to read, but tiresome to hear. Despite contradictory statements of contemporaries that he was or was not a pleasing speaker, Burke must at times have been very tedious and wearisome to his hearers. It is impossible that such a speech as the *Speech on Conciliation* should have been intelligible, in all its interrelations and in its interdependence, to any except the most intelligent members of the House of Commons. Burke, in the overrefinement of his argument, usually shot above his audience. His speeches had to be studied to be understood. For example, one member who left the House in disgust upon the day of this speech afterward carried a copy in his pocket, in order to read and reread it, until the copy was worn out. At times Burke's tiresomeness was such that when he arose many members promptly left the hall, to return only when Burke had finished or when a vote was to be taken. The younger members called him "the dinner bell," because his arising was the signal for a general departure of the members, as if for dinner. Goldsmith wrote of him :

" . . . Too deep for his hearers, still went on refining,
And thought of convincing while they thought of dining."

His first sentence indicates that he was somewhat reluctant to begin another long speech, yet his conviction of the exigencies of the case was such that he could not refrain from speaking.

Object depending : of course, the conciliation of the colonies. The passage by the House of Commons of the Grand Penal Bill, which

Burke had vigorously opposed, compelled him to resort to other means than the discussion of the taxation question to secure the liberties of the colonists and the commercial prosperity of England; so he purposed, on this day, March 22, 1775, to secure an admission from the House of Commons, by the introduction and passage of the resolutions given at the close of the speech, that the colonists did not have the rights of Englishmen as guaranteed to them in their charters. The passage of these resolutions (which see, ¶ 140 and following), which it would seem almost impossible to vote against, would be a virtual confession by the ministerial party that the Grand Penal Bill and Lord North's "project" (¶ 10, note) were iniquitous. The placing of the ministry in an equivocal situation was a part of the "object depending."

Event of my motion. This means the result of the putting of his resolutions, ¶¶ 140-155.

Grand Penal Bill. This was a bill introduced by Lord North, the Prime Minister, on February 10, 1775, to prevent the New England colonies from carrying on trade with any country except Great Britain, Ireland, and the British West Indies, and to restrict their fishing in the Newfoundland fisheries under conditions that would render profitable fishing impossible. The title of the Grand Penal Bill was as follows: "An act to restrain the commerce of the provinces of Massachusetts Bay and New Hampshire, and colonies of Connecticut and Rhode Island, and Providence Plantations, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such provinces and colonies from carrying on any fishery on the Banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations."

The colonists had refused to receive the British tea ships or to carry on trade with British merchants on account of the Tea Act. Lord North, like the dog in the manger, determined that if they would not trade with Great Britain they should not trade anywhere. As the inhabitants of nearly all of the New England coast towns were engaged in fishing, principally in the Newfoundland fisheries, the clause concerning fishing would result in throwing them out of employment, thus proving a terrible retaliation for their refusing to trade with Great Britain. Burke had resisted the passage of the bill, but it had passed in spite of him, and had been sent to the House of Lords. The unsympathetic House of Lords was, of course, expected to pass the bill at once. They did better. They returned it with the recommendation that it be so amended as to include all

the other colonies except New York, Delaware, North Carolina, and Georgia. Burke chooses to regard this return of the bill to the House of Commons almost as a special providence, for thus the House was "put once more in possession of its deliberative capacity"; that is, it was able to discuss again the original question, and was "nearly as free to choose a plan for . . . American government as . . . on the first day of the session."

If we incline to the side of conciliation: a reference to Lord North's resolution, which is given under "the project" in the notes on ¶ 10, which see. It was this bill which Burke says would bring about an "auction of finance," ¶ 10.

Coercion and restraint. In what particular were the colonists coerced? In what restrained? Is this an "incongruous mixture"?

Superior warning voice. What does Burke mean by this?

¶ 2. **An awful subject.** These words, so real to Burke, must have meant little or nothing to the average member of the House. Our modern knowledge of the tremendous destinies in store for those colonies will show us how deep and clear must have been Burke's insight, and make us cease to wonder that he risked another concession to his "frailty."

First had the honor of a seat: in 1766, about the time of the repeal of the Stamp Act, which was repealed by a large majority in the Rockingham administration.

I was obliged to take more than common pains. Burke knew more about America than did any other man in England. Students of this speech can not fail to discover the marvelous skill and patience with which Burke had "collected material" for his speech. He seemed to know every detail; as, for example, in ¶¶ 18 to 25 and 103. In the *Letter to the Sheriffs of Bristol* he says: "I think I know America. If I do not, my ignorance is incurable, for I have spared no pains to understand it."

Fixed ideas. Ideas based upon true principles of government; not vacillating ideas, but ideas based upon a thorough understanding of the situation; ideas that could not be "blown about by every wind of fashionable doctrine" (Ephesians iv, 14), as the opinions of men who have but little information upon a subject are likely to undergo a change upon the receipt of new information. (See note on "occasional system," ¶ 16.)

¶ 3. **In perfect concurrence.** See note on "first had the honor of a seat," ¶ 2.

¶ 4. **Enlarged view.** Members of the House of Commons were constantly studying the great questions of the hour, and, like Burke, were bringing to the notice of the House information not attainable in the aggregate by any individual, so Parliament would have "an enlarged view" upon any public question.

Complaint. Used in the sense of "disease"; the same is true of distemper.

¶ 5. **A worthy member:** Mr. Rose Fuller, member for Rye.

Filled the chair of the American Committee: occupied the chair when the House sat as a committee of the whole on American affairs in 1766.

Former methods: that is, the plan of obstructing the passage of any bill proposed by the majority or government party, as had been the conduct, during that session, of the minority, of which Burke was a member.

Public tribunal: the English voting public. In England a session of the House of Commons usually comes to an end when the majority party suffers defeat upon some important measure; then the House is prorogued and a new election is held, in which, if a majority for the old government party is again returned and thus placed in power, it is considered that the nation, or "the public tribunal," has ratified the conduct of the majority or government party. If a majority for the opposition is returned, it is understood that the former government party has, as might be said, been convicted before "the public tribunal," and deposed.

Play the game out: comparison of the contest between the majority and the opposition to a game at cards.

Produce our hand: to cease obstructing legislation, and to propose our own plan in the place of the one we have been opposing. As nearly all the members of the House of Commons gambled at cards, Burke's figure was doubtless well understood.

Principles of colony government. See note on "fixed ideas," ¶ 2.

Platform: a statement of principles, like that issued by American political parties of to-day.

¶ 6. **Seat of authority:** emanating from the ministry.

Disreputably. Propositions which would prove not only ineffectual, but which would also prove discreditable to the proposer.

¶ 7. **Paper government:** theoretical schemes for government not based on actual experience; for example, Locke's *Grand Model* of a constitution for an empire in the Carolinas.

Wholly separated: a plan to be executed by others than those by whom it was proposed.

¶ 8. **Judging of what you are.** The study of one's audience is one of the most important things to be considered in the making of an argument. No good lawyer would plead the same cause in the same manner before two different juries. Is Burke's proposition here a wise basis to argue from?

Influence, natural or adventitious: *natural*, arising from natural ability; *adventitious*, due to rank, station, or to circumstances not within one's self.

You will treat it just as it deserves. Did Burke actually believe this? or is this a persuasive device to secure from the House an unprejudiced vote?

¶ 9. **The proposition is peace**: that is, Lord North's proposition in the resolution which is given in a note on ¶ 10. In this bill Lord North proposes a method for securing peace.

Universal discord, fomented from principle: another reference to the resolution which is given in ¶ 10. Study the resolution. Colonel Barré, a member of the opposition, had accused the Prime Minister of adopting the famous maxim of Machiavelli, "divide and govern," the principle by means of which a number of French kings had ruled; or, in other words, to conquer one's enemies by adroitly fomenting disputes among them, and thus weaken them by causing them to expend their rebellious energies upon each other. Burke's phrase therefore contains a covert thrust at the ministry.

Juridical determination: the settlement of a perplexing question in colonial affairs by the application of the *letter* rather than the *spirit* or *original intention* of the law. For example, in New York and New England ten thousand beaver hats were made annually. The exportation of these hats was injuring the interests of English hat makers. They complained to Parliament. Parliament did not prohibit the making of hats in the colonies. It settled the "perplexing question" by a "juridical determination." It applied to the case, in 1732, the "apprentice law" of Queen Elizabeth, a law made before either New York or New England existed. This law required all hat makers to have served an apprenticeship of seven years. No master should have more than two apprentices, and these must serve seven years. Thus a factory with but one master hat maker could have but three workmen. This is an example of what Burke means by an "occasional system." (See note on "occasional system," ¶ 16.)

The meaning of the phrase "juridical determination" should be mastered by the student, as the principle involved underlay the policy of Lord North's ministry. It is this principle which is the object of Burke's attack.

Peace sought in the spirit of peace. Lord North had proposed to conciliate the colonies, but his plan for securing peace by the so-called "conciliation" was by retaliation and punishment in case of a refusal to accept his proposition. It was to foment disputes among the colonists rather than to seek their friendship.

Former unsuspecting confidence . . . This phrase had been used by the Colonial Congress in Philadelphia a year before to express gratification felt on account of the repeal of the Stamp Act. It should be noticed here with what force Burke uses the statement of the colonists to drive home his implied charge that Lord North's policy was based on treachery, chicanery, and deceit.

It will be observed that almost every sentence in ¶ 9 contains a thrust at Lord North, the Prime Minister.

¶ 10. **Refined policy:** modern term for this is "sharp practice," double dealing, or conduct opposed to that which is open and frank.

Pruriency: an itching desire to hear out of curiosity rather than from any real or proper interest in the subject.

The project. Lord North's "project," which passed the House February 27, 1775, was entitled "Propositions for Conciliating the Differences with America." The resolution is as follows: "That when the governor, council, or assembly, or general court, of any of his Majesty's provinces or colonies in America, shall propose to make provision, according to the condition, circumstances, and situation of such province or colony, for contributing their proportion to the common defense (such proportion to be raised under the authority of the general court or general assembly of such province or colony, and disposable by Parliament), and shall engage to make provision also for the support of the civil government and the administration of justice, in such province or colony, it will be proper, if such proposal shall be approved by his Majesty and the two Houses of Parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duty, tax, or assessment, or to impose any further duty, tax, or assessment, except such duties as it may be expedient to continue to levy or impose, for regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province or colony respectively."

As this is the resolution which provoked Burke's speech, its meaning should be mastered by the student. He should study the resolution until he finds out the phrases which would give Lord North loopholes of escape from his part of the agreement in case of necessity. For example, what taxes might be levied and collected under the phrase "for regulation of commerce," near the close of the paragraph?

Noble lord in the blue ribbon: Lord North, who was a Knight of the Garter. The badge of this order was a blue ribbon.

Frederick North was the second son of the Earl of Guilford, and therefore not a "lord" except by courtesy. Sons and younger brothers of peers are "lords" only by courtesy; legally they are only commoners. North, however, succeeded to a lordship upon the death of his father, in 1790.

Lobby. The lobby consists of certain anterooms to the chamber where the House sits. Colony agents were allowed in the lobby, but not on the floor of the House.

Squabbling colony agents. As the colonies had no representation in Parliament they employed "colony agents" who resided in London, and whose duty it was to watch over the interests of the colonies for which they were agents. They were practically lobbyists in the House of Commons. Read in Franklin's *Autobiography* the account of his experiences as agent for Pennsylvania, Maryland, Massachusetts, and Georgia. Burke himself had been colony agent for New York.

A study of Lord North's resolution for Conciliating the Differences with America will show that the enactment of this resolution would have resulted in a squabble among the colony agents for privileges, and that it would have resulted in intercolonial enmities; so Burke was justified in his insinuation that Lord North's purpose was "to divide and govern."

Interposition of your mace. The mace is the emblem of authority of the sergeant-at-arms. In case of disorder in the House the sergeant-at-arms takes the mace from the table in front of the Speaker and carries it to the scene of disorder, at which the disputants are supposed to subside.

Auction of finance. Under Lord North's "project" the colonies, through their agents, would bid for exemption from taxation by Parliament, according to Burke's figure of speech, as people bid for articles at an auction. The colony contributing the most would secure the most privileges. In other words, they would have to buy

from Parliament the rights already theirs by virtue of their being Englishmen.

Knock down the hammer: the granting of special privileges to a colony on account of its having offered the highest contribution under Lord North's conciliation bill; as an article, by the blow of the auctioneer's hammer on the table at an auction, is "knocked down" to the highest bidder.

Beyond all powers of algebra, etc. No power of mathematical calculation could enable a man to determine what would be a fair contribution on the part of the colony for a certain privilege, because of the widely different conditions in the different colonies.

¶ 11. **Proposition and registry:** *proposition*, the introduction of a bill; and *registry*, the placing of the bill upon the journal of the House after its passage.

Lord North's bill claimed conciliation for its purpose. Burke takes him at his word, and proceeds to show that the principle is correct, but that Lord North's method would not *conciliate*—it would only intensify the trouble. Notice the adroitness with which Burke finds the open spot in his enemy's armor. Students should notice throughout this speech that this is Burke's method; for instance, in the examples of concessions made in former years to Ireland, Wales, Chester, and Durham (¶¶ 79–88) he forces his point continually by showing that the same thing he asks has been done repeatedly with success in the past. The keynote of his method of argument is to take advantage of those concessions to which Parliament or the ministry had committed itself.

Accepting the resolution. See note on "the project," ¶ 10.

Menacing front of our address: a reference to an address presented to the king by Parliament, February 9, 1775, assuring the king that Parliament would consent to no relinquishment of his authority over the colonies.

Heavy bills of pains and penalties: such as the Boston Port Bill and the Grand Penal Bill.

Free grace and bounty: concessions such as had been granted to Ireland, Wales, Chester, and Durham (see ¶¶ 79–88), and such as Burke intended to propose for the colonies.

The pupil should take notice that this paragraph foretells the method of Burke's entire argument. He does not argue from his own standpoint or from a sense of right, but, adjusting himself to a prejudiced majority, he takes Lord North's own proposition of conciliation (see note on "the project," ¶ 10). This method of argument

consists in taking up an opponent's argument and turning it against him. The student who fails to observe this all through the speech does not *read* the speech.

¶ 12. **It has declared . . . and has admitted :** by the passage of Lord North's resolution proposing conciliation (see note on ¶ 10). Another example of Burke's method of taking advantage of his adversary's statements.

Former mode of exerting the right of taxation : by the Stamp Act, and by other similar measures which were very obnoxious to the colonists.

Capital alteration : change of plan as suggested by the word "conciliation" in the resolution in note on ¶ 10, Lord North's "project."

The method of argument mentioned in the note at the close of ¶ 11 is carried yet further in this paragraph. The student should notice the remarkable adroitness with which Burke, here and later in the speech, takes advantage of his opponents. This plan is not, however, a very safe method of argument, if one's purpose be to convince or persuade; for it is very likely to produce the opposite result and to offend an opponent rather than to convince or persuade him. A speaker in thus finding the holes in an opponent's armor is likely to touch the pride of his opponent, and instead of persuading him succeeds in driving him further away. The fact is that Burke's method of argument here was qualified to have any other effect than the conciliation of his opponents, as was shown by the vote on his resolutions, for which see note on ¶ 141.

The student who studies this speech for the purpose of acquiring skill in persuasion should not fail to note the fact that Burke's method is highly qualified to intensify the prejudices of his opponents; that while his argument was unanswerable, yet, because he stabbed the pride of his opponents to the heart, he utterly failed in persuading them. As the purpose of argument is not so much to argue as to change minds, it may be better to avoid this method. Burke was a better arguer than persuader (see resolution, ¶ 140). Observe that the truth of this resolution is self-evident, and that no man could have voted "nay" on this resolution from any other motive than that of party policy or of pure contrariness, which Burke's speech was well qualified to incite.

¶ 13. **The principle.** What is this principle?

Admitted principle. How and where admitted?

Peace with honor : peace without the exercise of tyranny.

Here the student will find a clear statement of Burke's determination to turn Lord North's weapon against him.

¶ 14. **The object :** America and her value to Great Britain commercially.

Abstract ideas of right. What does he mean by this?

Observe Burke's methodical and logical division of his brief proper. He subdivides the question of conciliation into two parts, takes them up in order, and exhausts the argument upon each in its turn. The power to do this by the student is the true purpose of the study of this speech, and will be worth more to him in after years than any mere knowledge that he may acquire of the speech.

¶ 15. **Object.** See note on "the object," ¶ 14.

Two millions. Burke's estimate of the population of the colonies has since been shown to be very nearly correct.

Study the last half of this paragraph carefully, in order to find out how Burke enforces his point formerly made—"that no temporary expedient will do"; that Parliament must "attend to the whole of it together"; and "review the subject with an unusual degree of care and calmness" (¶ 1).

¶ 16. **A blunter discernment.** Study this. Is this a covert slur, or does Burke allude to the king?

Occasional system : deciding a question temporarily, instead of basing the decision upon permanent principles.

In the *Speech on American Taxation* he says: "Sir, it is not a pleasant consideration; but nothing in the world can read so awful and instructive a lesson as the conduct of ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretense, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong; but only invented *occasionally* some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piecemeal a repeal of an act which they had not the generous courage, when they found and felt their error, honorably and fairly to disclaim."

Minima: little things; paltry things; things not worthy of deep consideration; a reference to the legal maxim *de minimis non curat lex*—the law takes no account of trifles. "It is an awful subject, or there is none so on this side of the grave."

With impunity. Observe the fulfillment of this prophecy. This statement was made on the 22d of March, 1775; the ministry did not think concerted armed resistance in the colonies within the limits of possibilities. The battle of Lexington occurred on the 19th of April, 1775.

¶ 17. In this paragraph Burke shows especial skill in suiting his argument to his audience. In the *Speech on American Taxation* he plead for the *rights* of the Americans; now he appeals to the English commercial instinct, their greed, their belief that the colonies existed for the benefit of the mother country, and tries to show Parliament that it is for the commercial interests of England that they should conciliate and be content with some profit, rather than suffer the loss of both capital and profit by driving the colonists to a possibly successful rebellion. (The commercial idea is simply introduced here; it is carried out further on in the speech.)

A distinguished person: Mr. Glover, born 1712, died 1785. In 1742 he had presented to Parliament a petition of the merchants of London, asking for the protection of their commerce from the Spaniards. Different editors have called attention to the fact that, as Mr. Glover appeared again in 1775, Burke should have said thirty-three instead of thirty-five years.

Mr. Glover was the author of two long epics, *Leonidas* and *The Athenaid*, both of which were much read in the eighteenth century, but are now almost forgotten.

At your bar: a rod or bar across the main entrance to the chamber in which the House of Commons sits, and which may be passed by officers and members only. All other persons presenting petitions or other communications must do so from outside the bar.

¶¶ 19-24. General note.

These paragraphs have special value to the student of argumentation. The student can not fail to realize the value of the statistics contained in these paragraphs to Burke's argument; that is, the value of carefully collected information as indisputable proof of his statements. It will be observed here that Burke had collected his proof without regard to the amount of effort and pains required. A successful argument can not be built upon imagination alone; it

must be sustained by facts. These facts can be obtained only by the most patient research; and the student who hopes to become a master of argument must learn how to make this research in a great library. The man who will make careful research is bound to be the master of the man who is too indolent to make it. The student should learn a lesson here.

¶ 19. **Davenant**: Charles Davenant, inspector general of exports and imports, appointed 1705; son of Sir William Davenant, once poet laureate of England.

¶ 20. **African**: referring to the slave trade, which was carried on between Africa and the colonies only, and therefore properly included here by Burke.

¶ 21. The student should turn the figures used in Burke's statistics into their American equivalent of dollars, estimating the pounds in round numbers at five dollars. The purchasing power of a pound, however, was several times greater than now.

¶ 24. **Unnatural protuberance**. Selby says: "Has not our increased trade with America been purchased at the cost of our trade with other countries? Have we not spent so much in America that we have nothing left to spend in other countries? A protuberance means, literally, a bulging or swelling. The killing of one trade by another is compared to the death of a man from a tumor, which absorbs the juices that ought to go to sustain the rest of his body."

¶ 25. **It is good for us to be here**: Mark ix, 2-5; Matthew xvii, 1-4.

Clouds indeed and darkness . . .

"The wide, the unbounded prospect lies before me;
But shadows, clouds, and darkness rest upon it."

Addison's *Cato*, Act V, sc. i, 14, 15.

Lord Bathurst: Allen Apsley Bathurst, born 1684, died 1775, six months after this speech was made. He was made Baron Bathurst in 1711, and after his son Henry was made Lord Chancellor in 1771, was created earl in 1772, out of compliment to his son. This information, however, is not so important to the student as is the study of the effect of this burst of eloquence in attracting and holding the attention of Burke's audience. The pupil should determine Burke's purpose in this paragraph.

Acta parentum jam legere, et quæ sit poterit cognoscere virtus:
To read the deeds of his forefathers, and to know what virtue is.
Adapted from Vergil, *Eclogues*, iv, 26, 27.

Third prince of the House of Brunswick. George the Third was not the son, but the grandson, of George the Second; so, while he was the third prince (king) of the house of Brunswick, he was of the fourth generation.

Was to be made Great Britain. The name Great Britain, as applied to the kingdom, had its origin in the union of the English and Scottish parliaments in 1707.

A small seminal principle: a germ.'

Before you taste of death: Matthew xvi, 28; John viii, 52; *Julius Cæsar*, Act II, sc. ii, 33.

¶ 26. The student should note here with what skill and effectiveness Burke uses his comparison of colonial trades. He goes from the *general* to the *particular*. He first shows the smallness of the export trade to the colonies in 1704, then its comparatively enormous extent in 1772; then he compares the *whole* export trade of England in 1704 to that to the colonies alone in 1772; then he further enforces his point by bringing his comparison down to the grasp of the weakest mind in his audience by citing a comparison of the export trade to *one* colony in 1704 with the export trade to that colony in 1772. Observe how he drives his point home in ¶ 27.

¶ 29. Burke's argumentative purpose in this paragraph is to show that the time would come when the colonies should be absolutely necessary to Great Britain to supply her with food. The student should hold this and the succeeding paragraph in mind, and should watch for the place in the speech where Burke makes use of this information which he has implanted in the minds of his hearers. In short, he is preparing their minds for a conclusion to be reached further on in the speech. Where does England get her present food supply?

A Roman charity: reference to an old Roman tale in which one Cimon, who had been condemned to death by starvation, was kept alive by his daughter Xanthippe with milk from her own breast.

¶ 30. Burke has a hidden purpose in this paragraph. He does not openly threaten Parliament with danger from the fighting qualities of the colonists, but he leaves the impression, while simply expressing his admiration of their bold courage, that men who will penetrate into the deepest frozen recesses of Hudson Bay and Davis Straits in the north and to the far Falkland Islands in the south are not to be coerced. It may be said that this paragraph is an enforcement of the point made in the last sentence of ¶ 16.

Drawn from the sea. The inhabitants of nearly all the coast towns of New England were engaged in catching and curing fish from the Newfoundland fisheries. They carried on an extensive commerce in trading the cured fish for molasses and rum in the West Indies. The student who has studied the Navigation Acts carefully will remember how the British Government tried to restrict this trade.

Frozen Serpent: a constellation under the antarctic circle.

Falkland Island: one of a group of islands east of the southern extremity of South America. Used here to convey the idea of the extremest extent of navigation to the southward.

Draw the line and strike the harpoon: technical terms concerning the use of the rope and harpoon in whale fishing.

Run the longitude. As Burke has formerly shown that American fishermen sailed to the extreme north and to the extreme south of the Atlantic, here he shows that they also plied their trade to the extreme limits of the Atlantic east and west, or from Davis Straits to the Falkland Islands, and from Africa to Brazil.

¶ 32. **Complexions:** an intimation that the opinions of certain gentlemen in the House were biased by the professions that they followed.

Those who understand the military art. In February, 1775, General Burgoyne, then a member of Parliament, made a heated speech favoring military coercion of the colonies. It will be remembered that he was afterward sent to carry out his idea, and became convinced of his error at Saratoga in 1777.

Wield the thunder: reference to the ministry, who have control of armies and navies. In this case the reference is to Lord North.

¶¶ 33-36. Observe in these paragraphs how carefully Burke has prepared and arranged the points of his argument.

¶ 33. **Force alone is but temporary.** "But I think that young men who exercise their understanding, and expect to become capable of teaching their fellow-citizens what is for their interests, grow by no means addicted to violence, knowing that on violence attend enmity and danger, but that by persuasion the same results are attained without peril, and with good will; for those who are compelled by us, hate us as if despoiled of something, while those who are persuaded by us, love us as if they had received a favor. It is not the part, therefore, of those who cultivate the intellect to use violence; for to adopt such a course belongs to those who possess brute force without intellect. Besides, he who would venture to

use force has need of no small number of allies; but he who can succeed with persuasion has need of none, for, though left alone, he will think himself still able to persuade; and it by no means belongs to such men to shed blood, for who would wish to put another man to death rather than to have him as a living subject persuaded to obey?"—Xenophon's *Memorabilia*, Book I, chap. ii, ¶¶ 10, 11.

¶ 38. **This fierce spirit of liberty.** Take note that Burke here gives the general points which he elaborates in ¶¶ 39–45.

¶ 39. **Abstract liberty.** To illustrate this, the American colonies would never have resisted even a constantly renewed statement on the part of the mother country that she had the *right* to tax the colonies, unless she had attempted to assert this right by levying and attempting the collection of a tax on some definite article, such as tea—that is, "liberty inheres in some sensible object." Sensible here means capable of being known by the senses.

Mediately or immediately: that is, by their own acts or by the acts of their representatives.

A monopoly of theorems: to assert their right to privileges under certain principles of the English Constitution, but to refuse the same to the colonists, who were Englishmen as much as were the members of Parliament themselves.

¶ 40. **Popular:** "of the people, for the people, and by the people."

¶ 41. Dissidence of dissent. As Protestantism protested against Roman Catholicism, so Puritanism, in turn, protested against Protestantism.

¶ 42. **Gothic ancestors:** Teutonic or Germanic ancestors, who in their villages or *hams* allowed no man to assert superiority over others, except by their own suffrages. See Green's *Short History of the English People*, chap. i.

Poles: reference to the partition of Poland by and among Russia, Prussia, and Austria in 1772. The desperate struggle of the Poles for liberty is commemorated in Campbell's *The Downfall of Poland*. It will be remembered that Kosciusko, the leader of the Poles, came to America and took part in the American Revolution.

¶ 43. **Congress:** the First Continental Congress, which met in Philadelphia, September, 1774. Look up the names of the members, and note what proportion were lawyers.

Blackstone's Commentaries: the most important book used in the study of English law, the first volume of the correct edition of which was published in 1765.

By successful chicane. General Gage, commandant of the troops in Boston, forbade the holding of any town meetings after June, 1774. The people of Boston continued to hold their meetings without violating his order by simply adjourning to meet at a future date, so that they did not *call* any meetings—they simply attended *adjourned* meetings.

My honorable and learned friend: Attorney-General Thurlow, whom Burke noticed taking notes of the speech. At the close of Burke's speech Thurlow used these notes to great advantage; for in a very brief speech he so fully destroyed the effect of Burke's effort as to produce an adverse vote of 270 to 78.

The student will observe here that Burke did not talk, like some speakers, at the ceiling in an oratorical way; he talked right at his audience. The greatest fault of young speakers is that they do not look at their audiences, and therefore fail to hold their attention.

On the floor: the space between the benches on the two sides of the chamber. The benches occupied by the members are in tiers rising toward the walls, and the opposing parties of the House face each other. The ministers, or party leaders, occupy the first row of benches, which are *on the floor*. (See House of Commons, p. 23.)

When great honors and great emoluments. Prominent citizens of Boston had been proffered high-salaried offices in order to attach them to the English side of the controversy; but to a man they had refused, or had resigned when they discovered the motive. James Otis was one of these.

Abeunt studia in mores: *studies pass into character*, or the things that we learn in our studies or pursuits become convictions that are moving forces in our lives (Ovid, *Heroides*, xv, 83). Read, in Bacon's *Essays*, No. 50, *Of Studies*.

¶ 44. **Winged ministers of vengeance:** the sail ships of which the English navy was then composed.

Pounces. Burke compares the ships to the eagle, which in Greek mythology is represented as carrying the thunderbolts of Zeus in its pounces or talons.

So far shalt thou go: Job xxxviii, 11.

The Turk can not govern: that is, the Sultan of Turkey can not govern his Asiatic and African provinces as he can those surrounding Constantinople. Kurdistan is in central Asia; Brusa and Smyrna are in Asia Minor; the other names are too familiar to need annotation. The correctness of Burke's statement is borne

out by Omar Khayyam, the Persian poet of the eleventh and twelfth centuries, who, in the eleventh quatrain of the *Rubaiyat*, says:

“ With me along the strip of herbage strewn
That just divides the desert from the sown,
Where name of slave and Sultan is forgot—
And peace to Mahmoud on his golden throne ! ”

To truck and huckster. Note the applicability of these words to Burke's purpose. In the “ auction of finance,” ¶ 10, he shows that the Government is seeking bids for privileges in a haggling manner, like that of truckers and hucksters who haggle with purchasers over the prices of their wares.

¶ 45. Observe Burke's summing up here, and the way in which he drives his points home, and concludes with this sentence: “ From all these causes a fierce spirit of liberty has grown up.” He follows this up in the next paragraph with the most natural question in the world, “ What, in the name of God, shall we do with it ? ” This question is the text of the remainder of the brief proper.

¶ 46. **Perhaps we might wish the colonists to be persuaded.** Study the fine sarcasm here.

With all its imperfections on its head: *Hamlet*, Act I, sc. v, line 79.

You see the magnitude. Observe that Burke proceeds to expand these five points.

Operose: see dictionary.

Lord Dunmore: colonial governor of Virginia in Burke's time. His name is familiarly connected with the early days of Washington.

Artificial media. The usual means or media of transmission of the wishes of the home government was by royal charters or decrees, and by acts of Parliament.

¶ 47. **We wholly abrogated.** Burke here refers to an act passed by Parliament, May 11, 1774, entitled, “ An act for the better regulating the government of the province of Massachusetts Bay, in New England.” This act practically invalidated the charter of Massachusetts. It transferred nearly all functions of government from the people of Massachusetts to the crown. The upper chamber of the provincial assembly, which had been elected by the lower house, chosen directly by the people, was thereafter to be appointed by the crown. All magistrates, judges, and sheriffs were to be appointed by the royal governor, and were to hold their offices subject to his pleasure, thus enabling him to dictate their conduct. Jurymen,

who had formerly been chosen by direct election, were by this act summoned by the sheriffs, thus enabling the governor to secure any verdict that he desired ; and no town meetings could be called except by special permission from the governor, so that popular deliberation upon wrongs was rendered impossible except by chicane. (See note on "successful chicane," ¶ 43.)

¶ 48. **To change that spirit.** Observe here Burke's method of argument. It is what may be called "argument by elimination." He shows that there are three, and only three, possible methods of settling the question. He demonstrates that the first two are not practicable, therefore leaving the third as the only reasonable method. It will be noticed that this method makes it unnecessary to discuss or demonstrate the third point (see ¶ 65).

¶ 50. **To make no further grants of land.** It had been urged that the difficulty with the colonies might be limited to its present extent, at least by making no further grants of land, so that the colonies might be prevented from increasing to such proportions as would render them able successfully to resist the mother country. Note Burke's answer. His prophecy that they "would wander without a possibility of restraint" has proved true ; but they did not "become hordes of English Tartars." No more noble class of people ever lived than those very pioneers who, without permission or grant, settled the western wilderness to which Burke refers.

¶ 51. **English Tartars.** Burke's reference is possibly to Attila and the Huns, or more probably to Genghis Khan.

Increase and multiply: Genesis i, 28.

Virtue of wax and parchment. All charters and documents at that time were written on parchment, and the seals of authority were imprinted thereon in wax. The ceremony of sealing had, among Englishmen, the effect of a sacred covenant. The simple signature of one's name was not enough. For example, the death warrant of Charles I was not only signed by the judges, but each imprinted his seal in wax beside his signature.

¶ 53. **For no purpose but to be serviceable to us.** This sentence is the keynote to all the trouble. The mother country felt that the colonies existed only for her benefit ; the colonists felt that they existed for the purpose of securing their own happiness ; that they existed for *themselves*, and that they had as good a right to exist for themselves as did Englishmen in England. Strange to say, Burke here seems to take his stand upon the mother country's side.

Spoliatis arma supersunt: *those who have been despoiled may still resort to arms* (Juvenal, *Satires*, viii, 124).

It was the custom in Burke's time (inexcusable now) to intersperse a speech with Latin quotations. Affected as it seems to us, this quotation expresses in three words what it would ordinarily take a paragraph to express.

¶ 55. **Inquisition:** reference to the Inquisition, whose spies were in almost every household of its time (see encyclopædia).

Dragooning. It had been the custom in former years to keep a province in subjugation by means of dragoons or cavalrymen, whose business it was to ride from house to house throughout the province as a constant menace to incipient rebels. The dragoons in the days of the Scotch Covenanters would ride up to a house, knock on the door with the butt of a musket, enter, and search for arms or for Covenanters in the act of worshiping according to their peculiar doctrine. Read Scott's *Old Mortality* for a detailed account of "dragooning."

¶ 57. **African vessel.** In that day most vessels were what are now termed "tramp ships"—i. e., they had no regular ports between which they made stated voyages. Parliamentary decrees or proclamations were sometimes sent to the southern colonies by means of a ship which was going from England to Angola or Guinea, on the west coast of Africa, for a ship load of slaves, to be taken thence to the American colonies. Observe the fine irony in this passage.

¶ 59. **Alterative course:** a system of treatment of colonial troubles for the purpose of gradually changing the sentiment of the colonists; as "to change that spirit, as inconvenient, by removing the causes," or "to prosecute it as criminal." Burke's reference is to the so-called "alterative" medicines which, taken in stated doses, are intended to change the human system from an unhealthy to a healthy state.

¶ 60. **Sir Edward Coke:** an eminent English lawyer, born 1552, died 1633. He was counsel for the crown in 1603 in the trial of Sir Walter Raleigh for treason. In his speech for the conviction of the defendant he abused that nobleman shamefully, saying, "I will prove you the notoriousest traitor that ever came to the bar"; further on he said: "Thou art a monster; thou hast an English face but a Spanish heart"; and further on, "Thou viper; for I *thou* thee, thou traitor!" And then he triumphantly asked, "Have I angered you?" For a part of this speech, see *The World's Best Orations*, p. 1348.

¶ 61. **Nico.** Burke here uses this much-abused word correctly. What is the common error in the use of this word? Explain the correct use.

Ex vi termini: *from the force of the term; from the meaning of the word.*

For the head of the empire to insist. This is as plain a statement as a member of Parliament would dare to make with respect to the king that the people of the colonies were considered absolute rebels because they had resisted illegal taxation and had demanded the privileges of Englishmen.

Under the ban: see dictionary.

¶ 62. **Civil litigant:** one engaged in a suit which concerns legal rights but not criminal offenses. In such cases, the person suing for the legal right or being sued for refusing to be deprived of a legal right is in no sense a culprit. The decision would be whether he should or should not have the right concerned in the suit; yet (says Burke), while the Americans are simply demanding a legal right, the British Government, instead of deciding whether they should or should not have it, proceeds to sentence them as criminals, as shown in ¶ 63.

¶ 63. **By lately declaring a rebellion.** On February 9, 1775, one month and a half before this speech was made, both Houses of Parliament had sent to the king an address stating: "We find that a part of your Majesty's subjects in the province of the Massachusetts Bay have proceeded so far to resist the authority of the supreme legislature that a rebellion at this time actually exists within the said province."

Formerly addressed. The two Houses of Parliament had, on February 13, 1769, presented to the king an address humbly beseeching "your Majesty . . . to direct your Majesty's governor of Massachusetts Bay to take the most effectual methods for procuring the fullest information that can be obtained touching all treasons or misprision of treason committed within this government since the 30th day of December last, . . . together with the names of the persons who were most active in the commission of such offenses, . . . in order that your Majesty may issue a special commission for . . . hearing and determining the said offenses within this realm, pursuant to the provisions of the statute of the thirty-fifth year (1543-'44) of the reign of King Henry the Eighth."

Act of Henry the Eighth. This act provided that persons accused of treasonable acts committed outside of England should be brought

to England for trial. In the *Letter to the Sheriffs of Bristol*, Burke says of the revival of this act: "To try a man under this act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold; thence he is vomited into a dungeon on land, loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one local circumstance that tends to detect perjury can possibly be judged of; such a person may be executed according to form, but he can never be tried according to justice."

Juridical ideas: see note on "juridical determination," ¶ 9.

¶ 64. **Menaces**: references to the many threats in the parliamentary addresses to the king, assuring him that both Houses would give him all possible aid in supporting the authority of the kingdom in the colonies, and also in supporting the king's dignity and honor.

Nothing less: not at all.

¶ 65. See note on ¶ 48.

¶ 66. **Characteristic mark and seal of British freedom**: that they had not the rights of Englishmen.

¶ 67. **That I am resolved, etc.** Burke, in his *Speech on American Taxation*, April 19, 1774, had at great length discussed the American question from the standpoint of taxation (see note on ¶ 1).

Some gentlemen startle: here used intransitively, meaning seem surprised; presumably because Burke asserted that he did not intend to discuss the question from the standpoint of taxation, which had been a hobby with him.

Policy of the question. He intends to discuss the matter in relation to the policy which would best conserve England's commercial interests, rather than from the standpoint of the rights of the colonists with respect to taxation, as he had discussed it in his *Speech on American Taxation*. He intends to show that England will lose financially by following Lord North's method (see ¶ 35).

Serbonian bog: Milton's *Paradise Lost*, Book II, 592-594. Reference to Lake Serbonis, a boggy lake east of the mouth of the Nile. The sandstorms sometimes covered this bog with a layer of sand so that it looked like the surrounding desert. Tradition tells that armies invading Egypt marched upon this sand-covered bog, and were engulfed and lost. Apply this figure to the conduct of the ministry.

Evidence-room full of titles: governmental record room, where records of grants, titles, etc., were kept.

¶ 68. **Had solemnly abjured all the rights of citizens.** Dr. Johnson, in his pamphlet *Taxation no Tyranny*, said that when the colonists left the mother country they voluntarily gave up the Englishman's right to vote; and that after having given it up voluntarily they had no right to claim it again.

¶ 69. **To admit the people of our colonies into an interest in the Constitution.** This is Burke's answer to the question, "What shall our concession be?"—the beginning of the second half of the brief proper. The student should, at any expense of effort whatever, study the method by which Burke proves the possibility of the success of his proposition by the four examples given in the succeeding paragraphs.

¶ 70. **The repeal of a revenue act:** the repeal of the Stamp Act, 1766.

Understood principle: that is, the repeal of the Stamp Act in 1766 as an act for raising revenue, without saying anything about giving up the right to control trade, was then sufficient to bring about peace; but such a repeal now would not suffice, because we have heretofore followed up our repeals by the enactment of acts equally obnoxious, and the colonists have therefore grown suspicious. Burke's statement finds proof in the fact that the Congress at Philadelphia, in 1774, expressly stated, in an address to the home government, that the repeal of the Stamp Act had "restored the former unsuspecting confidence of the colonies in the mother country" (see ¶ 9 and note on same). But now a simple repeal will not do; an absolute promise that *no further attempt at taxation* will be made is necessary to restore peace.

¶ 71. **American financiers:** members of Parliament who still adhered to the theory that America could be made to yield a revenue for England.

Taxation . . . trade laws: had no further hope that a revenue could be raised in the colonies, but feared that, if England renounced the right of taxing the colonies directly, the colonies would demand as a further concession the repeal of the Navigation Acts, which forced all American trade into the hands of British merchants whose wealth did pay a tax, thus raising a revenue from America in an indirect manner.

A gentleman of real moderation: a Mr. Rice, who by this mention of Burke's was rescued from oblivion.

¶ 72. **Acts of Navigation.** The Navigation Acts were planned for the purpose of making the colonies useful and profitable to the mother country by compelling the colonists to buy their goods in England at a high price and to sell their goods in England at a low price. The colonists must sell their exports in England or south of Cape Finisterre, which prevented their trading with the Dutch, England's great commercial rival. By these acts the colonists were forbidden the purchasing of goods except in England, and the transporting of goods in any except English vessels manned by English seamen. Other trade acts followed, forbidding the erection of iron works, prohibiting the manufacture of steel, and restricting the making of beaver hats, etc., in order to prevent the colonists' competing with English manufacturers. It was unlawful "to make even a nail for horseshoes."

¶ 74. **The pamphlet:** by Dr. Tucker, Dean of Gloucester, of whom Burke sarcastically says, in his *Speech on American Taxation*: "This Dr. Tucker is already a dean, and his earnest labors in this vineyard will, I suppose, raise him to a bishopric." Lecky, in Chapter XI of his *England in the Eighteenth Century*, calls Tucker "one of the best living writers on all questions of trade." Burke's reference is to a pamphlet in Dr. Tucker's *Four Tracts on Political and Commercial Subjects*. The pamphlet referred to is entitled *The True Interest of Great Britain set forth in regard to the Colonies and the only Means of Living in Peace and Harmony with them*. Dr. Tucker urged that separation was the only remedy; that trade always flows in the most lucrative channels; that as England could supply them with goods more cheaply than could any other country, their trade would come to England any way; therefore, in case of separation, England would have their trade without the expense of forcing it from them. Despite Burke's sarcasm, we know now that Dr. Tucker was right. For a good discussion of the trade relations of Great Britain and the American colonies, look through Book IV of Adam Smith's *Wealth of Nations*, especially Chapter VII.

¶ 75. **A shadow of evidence.** This statement is hardly correct, for a glance through any good history of the colonies will show that there was constant chafing in the colonies under the Navigation and Trade Acts. It was a long-cherished sense of the injustice of these acts that brought the people to a readiness to resist the Stamp Acts (see Bancroft's *United States*, vol. ii, p. 244).

¶ 76. **But the colonies will go further.** This is a further objection raised by Burke's opponents to a repeal of the revenue laws (see note on ¶ 71). It means that if the revenue laws were repealed, and the "trade laws" (Navigation Acts) in turn successfully attacked, the colonists would then "go further," and demand entire self-government, thus dissolving the "unity of the empire." Burke refutes this in ¶¶ 118-122.

¶ 79. **The kings of Spain of the Austrian family:** Emperor Charles the Fifth and his descendants of the house of Hapsburg.

Philip the Second: son and successor to Charles the Fifth; was the husband of Queen Mary of England, daughter of Henry the Eighth. Philip was the Spanish king who sent the Armada to contest with Elizabeth for the crown of England. He was a selfish, crafty prince, of deep and far-reaching, but not always successful, policy.

I consult the genius of the English Constitution. By "the genius of the English Constitution" he means the spirit of liberty in which it was formed, and the want of parliamentary action under it according to the letter rather than the spirit. (The student is supposed to know that the English Constitution is not a written document, like the Constitution of the United States, but that it consists of the principles underlying the vast body of past charters, traditions, precedents, parliamentary acts, etc.) Burke purposes showing what action the English Constitution dictates in the present case by the precedents set in the past with respect to Ireland, Wales, Chester, and Durham. It is safer, he says, to consult the genius of the English Constitution than the genius of George the Third—whom he means, of course, in his reference to Philip the Second.

¶ 80. **The English conquest.** The conquest of Ireland was accomplished in the reign of Henry the Second, between the years 1169 and 1175. The final legislative union of England and Ireland was not consummated until January, 1801. For the terms of this union, see Cooley's *Blackstone*, p. 103, footnote.

It is evident that, in a book of this character, no "note" can make this paragraph intelligible to the student. The student will do well to read the matter up, under the word "Ireland," in Larned's *History for Ready Reference*, vol. iii, pp. 1745-1778, or in any good history of Ireland or England.

Magna Charta. English freedom began not with the common people, but with the barons, knights, and clergy, who, in 1215, at Runnymede, compelled King John to sign Magna Charta, which contained "the roots of our primitive Constitution." For Magna

Charta, see any good encyclopædia, or any good English history. The entire text may be found in Larned's *History for Ready Reference*, vol. ii, p. 803. Stubbs, in his *Constitutional History of England*, chap. xii, p. 155, says: "The whole of the constitutional history of England is little more than a commentary on Magna Charta."

All Ireland. English law and liberty, when transferred to Ireland, extended over a *part* of Ireland only, to a boundary line called "the pale," which marked the confines of what might be called English Ireland. For an extended explanation of "the pale," see Larned's *History for Ready Reference*, p. 1761.

Sir John Davies: an able English poet and judge, born 1570, died 1626. In 1603 solicitor-general of Ireland, later attorney-general of Ireland. In 1612 he published the work referred to by Burke. Its title was *Discovery of the True Causes why Ireland was never entirely Subdued nor brought under Obedience of the Crown of England until the Beginning of his Majesty's Happy Reign*. "His Majesty" was James the First. Davies entered Parliament in 1621, and was made lord chief justice in 1626.

Vain projects: reference to the attempted military subjugation of Ireland in the sixteenth century. The expedition of the ill-fated Earl of Essex was one of these.

Civility: civilization.

Changed the people: populated portions of Ireland with English and Scotch immigrants.

Altered the religion: from Roman Catholic to the Church of England.

Deposed kings: Charles the First and James the Second.

Restored them: Charles the Second.

Altered the succession. The Act of Settlement, passed in 1701, deposed the house of Stuart and placed the succession in the house of Hanover. George the First, of the house of Hanover, came to the throne of England in 1714.

Usurpation: reference to the period of Cromwellian "usurpation," 1653-'60.

Restoration of monarchy. Charles the Second was "restored" in 1660.

Glorious revolution: that of 1688-'89, which deposed James the Second and placed William and Mary upon the throne. "Glorious" because, as a triumph of the Whigs, it coincided with Burke's ideas.

Great and flourishing kingdom. Burke's Irish nativity probably caused him to draw somewhat on his imagination here, for Ireland at that time was hardly a "great and flourishing kingdom."

Confusion of mighty troubles : reference to methods of government used in the times of Cromwell and William of Orange.

An exception to prove the rule : that is, the fact that a few cases of actual subjugation by arms, such as that of Cromwell and William the Third, stand out prominently because all other similar attempts were more or less failures. They only emphasized the failure of the idea of military subjugation.

¶ 81. **Reduced by Henry the Third.** Look up in Green's *Short History of the English People*.

Edward the First : ditto.

Lords marchers : noblemen who received grants of large estates on the borders between England and Scotland and England and Wales, the condition of the grant being that they should protect the frontier from inroads of the semibarbarous Scots and Welsh. They had absolute power in the marches or territory that they controlled. The student can get a clear idea of lords marchers on the Welsh border by reading Scott's *The Betrothed*.

¶ 82. **You prohibit by proclamation.** In the troublous time mentioned by Burke English consuls and agents were required by proclamation to keep a strict watch upon all shipments, in order to prevent the colonists from securing arms and munitions of war.

As you attempted to disarm. General Gage attempted to seize all arms and munitions in and around Boston. The student will recall the fact that a month after this speech was made the battle of Lexington occurred on account of an attempt made by this general to seize the arms and munitions that the colonists had stored at Concord.

¶ 83. **Here we rub our hands :** probably a reference to the action of some member of the majority who thought that Burke, in saying that fifteen acts of penal regulations had been passed with respect to Wales, was affording his opponents an argument for the final passage of the Grand Penal Bill.

Rid : old form of *rode*.

Incubus : see dictionary.

¶ 84. **Twenty-seventh year of Henry the Eighth :** the year 1535.

Marches : the estates or domains of the lords marchers. See note on "lords marchers," ¶ 81.

Day-star : II Peter i, 19—"Whereunto ye do well that ye take heed, as unto a light that shineth in a dark place, until the day dawn, and the day-star arise in your hearts."

Simul alba nautis, etc. "As soon as the clear-shining constellation has shone forth to the sailors, the troubled surge falls down from the rocks, the winds cease, the clouds vanish, and the threatening waves subside in the sea—because it was their will."—Horace, *Ode to Augustus*, Book I, Ode XII, ll. 27–32 (Smart's translation, p. 14).

The student should work out the application of the reference to Peter and the application of the quotation from Horace as Burke meant to apply them.

¶ 85. **County palatine of Chester.** A county palatine was a county in which the lord had sovereign rights over his people, the same as a king. For a good account of Chester as a county palatine, see *Encyclopædia Britannica*, or Johnson's *Cyclopædia*, article "Palatine."

The student should here take note of Burke's purpose in giving the exact words of this petition. Heretofore in the speech he has repeatedly assured the House that he will not "consult the genius of Philip the Second" (meaning George the Third), but he would "consult the genius of the English Constitution." The strength of Burke's argument lies in the fact that all Englishmen reverence the English Constitution, of which this petition may be said to form a part. Burke's intention is to take advantage of this reverence by presenting his own resolutions concerning America in almost exactly the same words as are found in this petition, believing that thereby he could force the members of the House to vote for the resolutions he intended to present.

The student should not fail to compare ¶ 85 with ¶¶ 93 and 94, nor should he at any time during the study of the remainder of the speech lose sight of this comparison, as it is the one thing upon which Burke bases the remainder of his argument.

Shewen: old form of *shown*.

Where: *whereas*.

Disherisons: *deprivations*.

Ne: *nor*.

¶ 86. **Reject it as a libel.** Recall what Patrick Henry, in the speech before the Virginia Convention, says of colonial petitions: "We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves at the foot of the throne, and implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications,

disregarded; and we have been spurned with contempt from the foot of the throne."

In the *Speech on American Taxation* Burke says: "The colonies of Massachusetts Bay and New York did send remonstrances objecting to this mode (the Stamp Act) of parliamentary taxation. What was the consequence? They were suppressed; they were put under the table, notwithstanding an order of the council to the contrary, by the ministry which composed the very council that had made the order; and thus the House proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over-desirous to receive information or to hear remonstrance. On the 15th of February, 1765, while the Stamp Act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable colonies as Connecticut, Rhode Island, Virginia, and Carolina, besides one from the traders of Jamaica. As to the colonies, they had no alternative left to them but to disobey, or to pay the taxes imposed by that Parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject."

¶ 87. **County palatine of Durham:** a county in northeastern England. See *Encyclopædia Britannica* for brief account of.

¶ 88. **Judge Barrington's account:** Daines Barrington, born 1727, died 1800, a distinguished jurist, naturalist, and antiquarian; made justice of the Welsh counties of Anglesey, Caernarvon, and Merioneth in 1757. The "account" to which Burke refers was probably *Observations upon the Statutes, chiefly the more Ancient, from Magna Charta to the 21 Jac. I, c. 27.*

Your legislative authority is perfect: a statement that had been made by Burke's opponents.

Virtually represented. The Tory party asserted that America was *virtually* represented. Their reasons for this assertion were as follows: A member of the British House of Commons represents not his own county, as does a member of the American House of Representatives his district, but he represents all Englishmen. The Americans were Englishmen; therefore they were "virtually represented."

Electric force: sarcastic allusion to representation which could extend three thousand miles away into a country which a member had never visited. It should be remembered that Dr. Franklin, the discoverer of electricity, was at this time in London, and had created much interest by his experiments in electricity.

¶ 89. **Opposuit natura** : *Nature has opposed.*

Those who have been more confident: those who believed that American representation in Parliament was feasible. Dr. Franklin believed this. Burke was probably right in that day, when it took not less than six months to get a reply to a message to America. In this day of steamships and electric cables it would not be so impracticable.

¶ 90. **Republic of Plato** : reference to one of Plato's dialogues, in which Plato describes his ideal state.

Utopia of More: an imaginary country or state described by Sir Thomas More, Lord Chancellor of the Exchequer under Henry the Eighth. This book was published in 1516.

Oceana of Harrington ; another work of similar nature by James Harrington, published in 1656.

And the rude swain : from Milton's *Comus*, 634, 635. Milton has "dull swain."

Until the year 1763 : the year in which the Grenville ministry, of Stamp Act notoriety, came into power.

¶ 91. The student can not overrate the importance of this paragraph. Let him take notice that in this paragraph Burke states four propositions which the student should fully understand before he passes on. He should know exactly what each proposition means before he goes on to the next paragraph. ¶ 91 is the expansion of ¶ 69.

By grant and not by imposition. Taxation by *grant* would be a system of taxation under which the people of America would have no taxes *assessed* upon them by the English government, but a system under which they would be permitted by the mother country to *grant* moneys to the king by act of the provincial Assemblies. Taxation by *imposition* would deny this privilege and would tax the colonists by act of Parliament—as, for example, by the Stamp Act.

It is likely to appear to the high-school student that this was a very small thing to dispute about ; but underlying this is, in reality, the most important principle of the English Constitution—the principle over which the king and the people had disputed for hundreds of years, whether the people should voluntarily *grant* the king money, or whether the king should have the right to *impose* taxes upon the people. After hundreds of years of contention the dispute was definitely settled in favor of the people. Burke's opponents were afraid to grant this power to the colonists because the recognition of the right to grant *aids* would be a practical recognition

of the equality of the colonists in political rights with the mother country. The king and his party, it will be remembered, claimed in the Declaratory Act the right to bind the colonies in all cases whatsoever. Examine carefully Burke's treatment of this question in ¶¶ 99-107.

Legal competency: the legal right of the colonists to tax themselves for their own government and for aids to the king.

Public aids. Aids, technically, were voluntary grants of money by the Parliament or Assembly to the king.

¶ 92. **Temple of British concord:** an allusion to the temple dedicated by the Romans to concord. Burke again refers to this in ¶ 140. With Burke this was no rhetorical flourish. What is the etymology of the word "concord"? And what is the full significance of the word as Burke meant it?

¶ 93. **That the colonies, etc.** Note carefully that this resolution has the same wording as the Chester resolution, ¶ 85. Why did Burke present it thus?

¶ 94. See note on ¶ 93.

The second is like unto the first: a reference to Matthew xxii, 37-39: "Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind.

"This is the first and great commandment.

"And the second is like unto it, Thou shalt love thy neighbor as thyself."

Show fully the applicability of this quotation.

¶ 95. Study carefully Burke's method of argument here. See note on ¶ 85.

Non meus hic sermo, etc.: "This is no doctrine of mine, but what Ofellus the peasant, a philosopher without rules, taught me."—Horace, *Sat.* II, ii, 2, 3 (Smart's translation).

To touch with a tool. The student should not fail to note the profound significance of this allusion to Exodus xx, 25, which reads as follows: "And if thou wilt make me an altar of stone, thou shalt not build it of hewn stone; for if thou lift up thy tool upon it, thou hast polluted it." Burke compares the reverence of the Englishman for the English Constitution to the reverence in which the Hebrews held the altar upon which they sacrificed to Jehovah. The English Constitution was too sacred to have even a word of one of its ancient petitions altered.

The student should note carefully here that the only value of a quotation or of a figure lies in its perfect applicability, and in its

power to strengthen the expression of the thought, and not to show erudition.

Wise beyond what was written: I Cor. iv, 6.

Form of sound words: II Tim. i, 13.

¶ 96. **When a man is robbed.** Burke speaks of the same thing in his *Speech on American Taxation* as follows: "No man ever doubted that the commodity of tea would bear an imposition of threepence. But no commodity will bear threepence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! But the payment of half twenty shillings, on the principle it was demanded, would have made him a slave."

The sixth of George the Second: a reference to what is known as the "Molasses Act" of 1733. The title was, "An act for the better securing the trade of his Majesty's sugar colonies in America." This act provided that when a ship from the northern colonies had taken a cargo of colonial products, as fish, lumber, etc., to sell in the West Indies, the return cargo of rum, molasses, and sugar should be subject to duty on entering an American port if bought in any other than the British West Indies. See *Speech on American Taxation*.

Duties of 1767: the well-known act providing duty on glass, paper, painters' materials, etc.

Lord Hillsborough: Secretary of State for the colonies, 1768 to 1772. Burke's reference is to Lord Hillsborough's circular letter sent to the colonies in May, 1769. The special reference had been used by Burke in his *Speech on American Taxation*. It is as follows:

"I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his Majesty's present administration have at no time entertained a design to propose to Parliament to lay any further taxes upon America for the purpose of RAISING A REVENUE; and that it is at present their intention to propose, the next session of Parliament, to take off the duties upon glass, paper, and colors, upon consideration of such duties having been laid contrary to the true principles of commerce.

"These have always been, and still are, the sentiments of his Majesty's present servants; and by which their conduct in respect

to America has been governed. And his Majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies; and to re-establish that mutual confidence and affection upon which the glory and safety of the British Empire depend."

Resolution of the noble lord: reference to "the project," ¶ 10, which see in note upon.

¶ 98. **Freemen:** those who have *inherited* full rights of citizenship.

Freeholders: those who hold titles to landed property.

General Assembly or General Court: the legislative assembly of any colony.

¶ 99. **Competence:** the legal right "to raise, levy, and assess duties and taxes toward defraying all sorts of public services."

Those who have been pleased paradoxically to deny. Burke here alludes to Grenville and his followers. In the *Speech on American Taxation* Burke says: "He (Grenville) was of the opinion, which he has declared in this House a hundred times, that the colonies could not legally grant any revenue to the crown, and infinite mischiefs would be the result of such a power."

By "paradoxically" he means, as he shows in ¶¶ 100-104, that, although the ministers had denied the right of the colonies to grant aids, yet they had repeatedly accepted these aids.

Law servants of the crown: the chief justice, attorney-general, solicitor-general, etc., who held that aids and grants of money, except by act of Parliament itself, were illegal on account of a clause in the Bill of Rights, passed October 16, 1689, and reading as follows: "That levying money for or to the use of the crown by pretense and prerogative, without grant of Parliament, for longer time or in other manner than the same is or shall be granted, is illegal."

If the crown could be responsible. The king himself was not responsible or amenable to trial by English law on the assumption that "the king can do no wrong." The defense set up by Charles the First was a denial of the jurisdiction of the court over the king for the above reason. The king's *ministers*, and not the king, are held responsible to the people.

The council: the Privy Council, consisting of the king's chosen advisers.

First lords of trade: a committee of the council whose duty is to advise as to affairs of commerce and industry.

All attorneys and all solicitors-general. The attorney-general is "the chief law officer appointed to manage all legal affairs and suits in which the crown is interested. . . . His assistant . . . is the solicitor-general, who has full power to act in the absence of his principal, and by almost invariable usage succeeds to his office when it becomes vacant."—*Encyclopædia Britannica*, vol. iii, p. 63.

¶ 100. **Great expenses.** These are sufficiently mentioned in the preceding paragraphs. A statement concerning them may also be found in Dr. Franklin's *Examination before Parliament*. The following will suffice: "The colonies raised, paid, and clothed near twenty-five thousand men during the last war (French and Indian), a number equal to those sent from Britain, and far beyond their proportion; they went deeply into debt in doing this, and all their taxes and estates are mortgaged for many years to come for discharging that debt."

Every student of Burke's *Speech on Conciliation* should read Dr. Franklin's *Examination before Parliament*, which may be found in full in Larned's *History for Ready Reference*, p. 3198.

Exertion in foreign ones. "They are zealous for the honor and prosperity of this nation, and while they are well used will always be ready to support it, as far as their little power goes. In 1739 they were called upon to assist in the expedition against Carthagera, and they sent three thousand men to join your army. It is true Carthagera is in America, but as remote from the northern colonies as if it had been in Europe. They made no distinction of wars, as to their duty of assisting in them."—Franklin's *Examination*.

So high as: as far back as.

In the year 1695: in King William's War, 1689-'97. See any United States history.

In the year 1710: in Queen Anne's War, or the War of the Austrian Succession, 1702-'13. In this war the New England troops, in a third desperate attempt, captured Port Royal, Nova Scotia.

¶ 101. **On the 4th of April, 1748:** at the close of King George's War, in which Louisburg, on Cape Breton Island, was captured by New England troops.

¶ 102. **On the 28th of January, 1756:** in the French and Indian War.

¶ 104. **This nation has formally acknowledged two things.** Note carefully how Burke sums up his argument here and clinches his

point. The student should remember that to understand this is far more important than to learn the historical references.

Miserable stories. Burke here refers to accounts in papers, pamphlets, and speeches, misrepresenting the colonists, and thus creating in England a spirit of resentment toward the colonies, thus leading to wars, and consequently great expense.

Misguided people: the English people.

Unhappy system: of revenue by imposition rather than by grant.

Who paid no taxes: sarcastic reference to the "miserable stories."

See note on "great expenses," ¶ 100.

When Mr. Grenville began to form his system: in 1763.

Those untaxed people: as they, the colonists, were called by Burke's opponents.

Requisitions: requests from the British Government for appropriations or aids from the colonies.

¶ 105. Observe Burke's double contrast in this paragraph, that revenue by grant has been productive of immense revenues; that revenue by imposition has resulted in nothing; that revenue by grant has left the colonies at peace with the mother country; that revenue by imposition has brought on the trouble that Parliament is now endeavoring to settle. This seems unanswerable.

¶ 107. **Utmost rights:** of taxing a people unrepresented in Parliament.

¶ 109. **An act for granting certain duties:** the act of 1767, which provided for a duty on glass, paper, red and white lead, painters' colors, and tea.

Drawback. Duties on goods under this act were rebated or paid back wholly or in part if the goods were again exported.

Clandestine running of goods: smuggling.

An act to discontinue: the Boston Port Bill.

An act for the impartial administration of justice. The act of May, 1774, declared that Massachusetts was in a state of rebellion, and provided that any one committing any act of violence while *upholding the law* should be removed for trial to England or to another colony, as it was thought that a Massachusetts jury would not give such a person a fair trial.

An act for the better regulating. See note on ¶ 47.

An act for the trial of treasons. See note on "act of Henry the Eighth," ¶ 63.

¶ 110. **Boston Port Bill.** In March, 1774, on account of the "Boston Tea Party," Parliament passed a bill closing the port of

Boston to all trade "during the king's pleasure"—that is, the king should decide when the port should be reopened. The student will remember that other Massachusetts towns offered Boston merchants the use of their ports. Goods were then carted overland between these ports and Boston.

Restraining bill: another name for the Grand Penal Bill, for which see note on ¶ 1.

Partially: with partiality—that is, other towns equally guilty were unpunished.

¶ 111. **Far less power.** The charters of Rhode Island and Connecticut did not give the king the right of veto, while that of Massachusetts did; so that Parliament, in depriving the people of Massachusetts of their privileges, deprived that colony which had fewest.

Returning officer: the sheriff. See note on ¶ 47.

¶ 112. **But temporary:** operative for three years only.

¶ 114. **A settled salary.** At this time the colonial officers here mentioned were dependent for their incomes, to a great degree, upon fines assessed. It will at once be seen that this would be likely to bias their decisions.

¶ 115. **Courts of admiralty.** These courts had jurisdiction over all legal affairs pertaining to the high seas, including violations of the revenue laws, which were tried without jury. See also *Encyclopædia Britannica*, vol. i, p. 159.

More decent maintenance. See note on "we wholly abrogated," ¶ 47; also note on ¶ 114.

¶ 116. **One of the capital securities:** on account of its power of trying violators of "Acts of Navigation."

Courts incommodiously situated. Colonial offenders under the act of Henry the Eighth were to be transported to England for trial. See note on ¶ 63.

Partaking in the fruits of its own condemnation. See note on ¶ 114.

The English revenue laws had been the cause of much smuggling by the colonists. Goods suspected of having been smuggled were seized, and the case brought before the courts of admiralty. If the court decided that the goods had been smuggled they were condemned as smuggled goods and sold to pay the duty and the fine assessed for violation of the revenue law. As the judges were largely dependent for their maintenance upon the fines assessed, it will be evident that there would be a strong temptation for the judges to make unjust condemnations.

The Congress complain : the Colonial Congress that met in Philadelphia in 1774.

¶ 117. **Three consequential propositions.** What are they? What is the force of "consequential"?

The first six : cite them.

¶ 118. **I prove too much :** that is, if, as I have shown, we have no right to *tax* the colonies, it will be said that, in consequence, we have no right to legislate for them in any particular whatever.

¶ 119. **Moved to have read.** In a speech on January 14, 1766, Mr. Grenville urged the right of taxing America on the ground of the general exercise of the right of taxation by Parliament, especially citing the exercise of this right over "the palatinate of Chester and the bishopric of Durham, before they sent any representatives to Parliament." As proof, he cited the same preambles of the Chester and Durham Acts cited by Burke.

Lord Chatham. See biographical dictionary or encyclopædia, and be careful to distinguish between the elder and the younger Pitt.

Declaring strongly in favor of his opinions : a reference to a speech of Lord Chatham in which he cited the examples of Chester, Durham, and Wales as examples of the fact "that even under arbitrary reigns parliaments were ashamed of taxing people without their consent, and allowed them representatives."

De jure or de facto : that is, whether they were bound by acts of Parliament *based upon constitutional right* or whether they had been bound in fact, but *without regard* to constitutional right. Read ¶ 85 again.

¶ 120. **Logical illation :** they do not carry the use of an illustration to the point where logical deduction would lead; that is, they stop when the illustration has served their purpose, and before its further and correct application would turn it against them. For instance, had Mr. Grenville (¶ 119) carried out his illustration of Chester and Durham it would have proved the opposite of his statement.

Immediate jewel. *Othello*, Act III, sc. iii, 155, 156.

"Good name in man and woman, dear my lord,
Is the immediate jewel of their souls."

A great house is apt to make slaves haughty. It is a well-known fact that the retainers of a great nobleman look down upon the retainers in like positions of a nobleman of lower rank.

What is the application as regards Englishmen and colonists?

The cords of man: Hosea xi, 4: "I drew them with cords of a man, with bands of love."

Aristotle. *Ethics*, I, iii.

Delusive geometrical accuracy. What is the meaning of this?

¶ 121. **Superintending legislature . . . which is itself the security.** How true Burke's statement is is shown by an editorial in the *Toronto World*, 1899, in discussing the relation of Canada to England on the Alaska boundary question of that year. The editorial says: "In dealing with the United States on the boundary question, Canada has the power of the whole empire behind her. Do we adequately grapple with the significance of this fact? Just imagine where we would stand on that question [Alaska boundary question] if we were depending on our own resources. By this time the United States would be in possession of the whole Yukon. We would have little or no status as an independent nation. The United States would treat Canada just as it treats Venezuela, or any other small American state. Let Sir Wilfrid Laurier and the Canadian Government remember these facts when debating whether Canada shall send a contingent to South Africa [to aid in the Transvaal War of 1899-1900]."

¶ 122. **Separate . . . legislature.** This ceased to be true in 1801, when the Irish Parliament was abolished and Ireland was given representation in the British Parliament.

¶ 123. See ¶ 13.

The proposition. See note on "the project," ¶ 10.

¶ 124. **Ransom by auction.** See note on "auction of finance," ¶ 10.

Experimentum in corpore vili: *let us make the experiment on something worthless.*

¶ 125. **Antechamber of the noble lord:** the room where the cabinet held its meetings.

Back door of the Constitution: that is, it would be considered, arranged, and passed upon by some committee of the cabinet, and upon its proposal to the House a subservient majority would pass it without discussion.

¶ 126. **Quantum . . . mode:** neither the amount nor the manner.

¶ 128. **The outcry:** the auction, or the crying of the sale of privileges to the colonies, as in ¶ 10.

Who refuse all composition: to settle by compromise. A debtor is said to "compound" his indebtedness when he pays to his creditors a certain per cent of his indebtedness, and thereupon is released

from further liability. Apply this to Burke's statement as to the "auction" for settling the claims of the mother country upon the colonies.

Give its death-wound to your English revenue. Tobacco was almost the sole product of Virginia. Under the Navigation Acts this tobacco could reach its European consumers only by being entered at some port of England, where, by the imposition of a heavy duty, it yielded a large revenue. Now, if Virginia refused to barter at "the auction," would the home government try to raise revenue from Virginia by placing a tax upon tobacco *in* Virginia, which tax would have to be assessed at the ports of Virginia by an *export* duty? This would discourage the production of tobacco in Virginia, thereby reducing the revenue arising from its shipment to England, and also destroying the profitable trade in tobacco with Continental Europe. It would also render the Virginia colonists unable to buy English manufactures. Thus, according to Burke's reasoning, by the imposition in Virginia of a tax on tobacco the English would lose in three different ways. Enumerate them.

Colony bounds are so implicated. Any colony could avoid the export duty on any product by simply sending it across the border into another colony which had purchased immunity in "the auction," and exporting it thence.

Bill for prohibiting the New England fishery. To what bill does he refer?

¶ 130. **Treasury extent:** a writ by which the property of a debtor to the crown might be valued for the purpose of satisfying the debt. Why could this not be put into effect against a colony? Why does Burke say that "You can not issue a treasury extent against a failing colony"? See ¶ 60—"I do not know the method of drawing up an indictment against a whole people."

Empire of Germany: not the present German Empire, but the Holy Roman Empire, which went out of existence in 1806, after an existence of ten hundred and six years.

¶ 131. **His project:** to "divide and govern." See note on "universal discord, fomented from principle," ¶ 9.

To their taste. Observe how Burke turns Lord North's statement against him. Lord North's resolution ("project") proposed to *conciliate* the colonies; yet he admits that it would not be "to their taste."

I will not suspect. What does Burke really intend the House to understand by this?

¶ 132. Note Burke's summing up by *comparison*. Show in what paragraphs or by what arguments he has offered proof of the contrasted statements he makes here.

You have heard me with goodness. This seems to discredit the statement sometimes made that he "emptied the benches."

¶ 133. **Power of refusal.** The power to give or not to give, as a subject pleases—the underlying principle of "revenue by grant."

Posita iuditur arca: *the money chest is put up as a stake.* Juvenal, *Satires*, I, 90.

As a Roman gambler staked his treasure box or money chest—that is, his entire fortune—upon a throw of the dice, so we are staking "whole America" upon the policy that we may choose in this matter. The figure Burke uses here was not likely to be misunderstood, as gambling was almost universally indulged in.

A House of Commons: that is, can not the House of Commons, which itself has for centuries raised all its revenues by grants, trust to another part of the English people to raise revenues by the same method as that which the House has been using?

Trust to the principle: the principle of raising revenue by *grant* and not by *imposition*, on which see note on ¶ 91; also read ¶¶ 100–104 for statistics on raising revenue by grant.

Accumulated a debt. A nation's credit is measured by the amount of money it can borrow.

¶ 134. Here again Burke resorts to the useful figure of the gaming table.

Ease would retract, etc.: *Paradise Lost*, IV, 96, 97. Milton has "recant" instead of "retract."

¶ 135. Observe how Burke again appeals to the English commercial instinct.

¶ 136. **Bengal:** in India. The payment of an annual sum of £400,000 was imposed upon the East India Company by the English Government in return for the privilege of exclusive trade and the management of governmental affairs in India, but in 1773 Lord North's government found it necessary, on account of the financial condition of the company, to loan it £1,400,000 at four per cent, and to suspend the annual payment above mentioned until the loan should be paid. In what way does this afford Burke an argument?

The enemies that we are most likely to have. What enemies are meant? and why were they likely to make trouble in the English colonial quarter of the globe? What one did afterward make trouble for England there?

¶ 137. **Ties . . . light as air :** *Othello*, Act III, sc. iii, 322-324.

Links of iron : *Julius Cæsar*, Act I, sc. iii, 94.

Grapple to you : *Hamlet*, Act I, sc. iii, 63.

Turn their faces : I Kings viii, 44, 45.

For proof of the statements made in this paragraph, read Franklin's *Examination before Parliament* in Franklin's *Works*, or in Larned's *History for Ready Reference*.

Commodity of price : freedom, which they can have from no nation but England.

This is the true Act of Navigation. Burke means that obedience to the Acts of Navigation is not due to the binding force of the acts themselves, but to the love of the colonists for the freedom which they could find only in being a part of the nation which made the acts. It is this reverence for the mother country, and not stringent laws, which binds to England the commerce of the colonies. (Reassertion of Burke's proposition to admit the colonies to a share in the government, ¶ 69.)

Registers, bonds, affidavits, sufferances, cockets, clearances. Find in the dictionary Burke's particular use of these words.

Spirit of the English Constitution : a paraphrase of the lines from Dryden's translation of the *Æneid*, VI, 982-985 :

" One common soul
Inspires and feeds and animates the whole.
This active mind, infused through all the space,
Unites and mingles with the mighty mass."

¶ 138. **Land Tax Act :** an act annually passed by Parliament for raising revenue.

Annual vote. Money for the support of the army is voted annually in order to reassert every year the right of Parliament to provide and maintain the army as against the similar prerogative formerly asserted by the kings.

Mutiny Bill : another act annually passed by Parliament for the discipline of the army and navy to reassert every year its right to control the army and navy, for the same reason as given in the preceding note.

¶ 139. **Profane herd :** aptly quoted from Horace, *Odes*, III, i. 1. The line, translated, reads, "I hate the profane herd."

Sursum corda. *Lift up your hearts.* The beauty and applicability of this quotation and Burke's fervor as he delivered the words will be understood when it is remembered that this phrase is used respectively in the Roman Catholic mass and in the Episcopal

communion service, just as the priest proceeds to consecrate the elements. What is Burke's application of the quotation?

¶ 140. *Quod felix faustumque sit: may it be happy and fortunate.* This may be said to be the "Amen" of the Romans.

¶ 141. In the English Parliament the purpose of putting "the previous question" is to suppress the main question, which, in this case, was Burke's first resolution, ¶ 140, without voting *directly* upon it. Burke's first resolution was simply a "question of *fact*," not of *opinion*. It will be seen that no sensible man could vote "nay" upon this resolution, for it stated a simple *fact* that was familiar to every one present. But Burke's opponents did not wish to commit themselves by voting upon it at all; so they called for "the previous question," which was put by the Speaker as follows: "Shall the main question be put?"* or, in other words, Shall we proceed to vote upon Mr. Burke's first resolution? A majority vote in the affirmative would have compelled a vote to be taken upon the resolution. Upon the putting of the previous question, Burke's opponents, of course, voted in the negative, the resulting vote being 78 that a vote should be taken on the main question, Burke's first resolution, ¶ 140, and 270 that such a vote should not be taken. The use of the "previous question" thus enabled the ministerial party to avoid committing themselves upon the resolution.

This remarkable adverse vote following Burke's superb effort was produced by a brief speech from Attorney-General Thurlow, who appealed to the despicable party spirit and prejudice of the Tory party.

The previous question was put in the same manner to the second, third, and fourth resolutions (¶¶ 144-146) and to the last (¶ 155), and, in the same manner, they were voted-down. The other resolutions were defeated by votes taken directly upon them.

If the student will now read again the first and second paragraphs of the great speech, where Burke says that he had an object depending which strongly engaged his hopes and fears; that he was full of anxiety about the event of his motion; that it was "an awful subject, or there is none so on this side of the grave"; and that he had taken "more than common pains to instruct" himself in it, he will be able to imagine, to some small degree, Burke's deep dejection at this dastardly vote.

* See Robert's *Rules of Order*, footnote, p. 51, for a clear discussion of English use of "the previous question."

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